

Regulatory Guide Periodic Review

Regulatory Guide Number: 5.66
Revision number: 2

Title: Access Authorization Program for Nuclear Power Plants

Office/division/branch: NSIR/DPCP/MWSB
Technical Lead: Wesley Held

Staff Action Decided: ~~Reviewed with issues~~ Reviewed with no issues identified
~~identified~~

1. What are the known technical or regulatory issues with the current version of the Regulatory Guide (RG)?

There are no known technical or regulatory issues with the current version of the RG. This RG provides guidance for the implementation of Title 10, of the Code of Federal Regulations, Section 73.56, "Personnel Access Authorization Requirements for Nuclear Power Plants" (10 CFR 73.56), and 10 CFR Part 26, "Fitness for Duty Programs," related to an access authorization program. The RG endorses NEI 03-01, Revision 3, dated May 2009. The staff continues to find the use of NEI 03-01, Revision 3, to be an acceptable approach to meet the requirements in 10 CFR 73.56 and 10 CFR Part 26 that relate to granting and maintaining unescorted access and to certifying and maintaining unescorted access authorization, subject to the one noted condition. The staff is aware of Revision 4 of NEI 03-01, but does not find that document to be an acceptable approach to meeting the regulatory requirements because of revisions made to the appeal process section. ~~The staff will process an administrative update to the RG to make explicit that the NRC endorses Revision 3 of NEI 03-01.~~

2. What is the impact on internal and external stakeholders of not updating the RG for the known issues, in terms of anticipated numbers of licensing and inspection activities over the next several years?

Provided that the industry uses Revision 3 of NEI 03-01, there are no impacts on internal or external stakeholders by not updating the RG. However, if the industry would like to use Revision 4, additional costs would be incurred for the NRC staff review of Revision 4 and for external stakeholders to provide the additional justification required for use of the revised portion of the document that staff does not find acceptable. ~~However, a rulemaking is underway that will include a robust appeal process that NEI 03-01, Revision 4 attempted to address and~~ Nonetheless, the staff does not expect any licensing or inspection activities with respect to Revision 4 ~~prior to the issuance of the final rule, which is estimated to be completed in 2020 in~~ the next several years.

3. What is an estimate of the level of effort needed to address identified issues in terms of full-time equivalent (FTE) and contractor resources?

~~Minimal staff resources will be needed to process an administrative update to the RG to clarify that the RG specifically endorses Revision 3 of NEI 03-01..~~ Since there were no issues identified, there are no resources needed.

4. Based on the answers to the questions above, what is the staff action for this guide (Reviewed with no issues identified, Reviewed with issues identified for future consideration, Revise, or Withdraw)?

~~Reviewed with no issues identified. The NRC staff plans to make an administrative update to the RG to clarify that the RG specifically endorses Revision 3 of NEI-03-01.~~

5. Provide a conceptual plan and timeframe to address the issues identified during the review.

~~The staff will complete the administrative update by the end of the third fourth quarter of 2017.~~
Not applicable.

NOTE: This review was conducted in July 2017 and reflects the staff's plans as of that date. These plans are tentative and are subject to change.