



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

May 3, 2019

The Honorable Mike Braun
Chairman, Subcommittee on Clean Air
and Nuclear Safety
Committee on Environment and Public Works
United States Senate
Washington, DC 20510

Dear Mr. Chairman:

On behalf of the U.S. Nuclear Regulatory Commission (NRC), I am pleased to submit the "Semiannual Status Report on the Licensing Activities and Regulatory Duties of the U.S. Nuclear Regulatory Commission." The enclosed report covers NRC activities from October 2018 through March 2019 and includes a list of rulemaking activities, their priority and schedule, and actions taken to adhere to the backfit rule, as directed in the Joint Explanatory Statement that accompanied the Energy and Water, Legislative Branch, and Military Construction and Veterans Affairs Appropriation Act, 2019.

During this reporting period, the NRC had six license renewal applications under review, including three subsequent license renewal applications, for a total of nine power reactor units. Three renewed operating licenses were issued, bringing the total number of renewals in the fleet to 94 reactor units. There are no first-time license renewal applications currently under review. Separately, the NRC continued to address safety enhancements in response to the accident at the Fukushima Dai-ichi reactors in Japan.

The NRC recently issued the annual performance assessment letters to the 98 commercial nuclear power reactors operating in 2018. All were in the two highest performance categories. Ninety-three fully met all safety and security performance objectives and received the normal "baseline" inspection.

Four reactors needed to resolve one or two items of low safety significance: Grand Gulf Nuclear Station (Mississippi); Peach Bottom Atomic Power Station, Units 2 and 3 (Pennsylvania); and Watts Bar Nuclear Plant, Unit 2 (Watts Bar) (Tennessee). For this performance category, regulatory oversight includes additional inspection and followup of licensee corrective actions. Watts Bar resolved its issues since this reporting period ended and, as a result transitioned to the highest performance category. There were no reactors in the third performance category (degraded level of performance).

One reactor transitioned out of the fourth performance category (repetitive degraded cornerstone): Pilgrim Nuclear Power Station (Pilgrim) (Massachusetts). Reactors in this performance category receive additional inspections to confirm the performance issues are being addressed. Pilgrim was under this enhanced oversight from 2015 to 2019, which included

a number of specialized inspections to ensure that the licensee met its commitments to address identified performance issues. Because Pilgrim met these commitments and sustained its improved performance, the NRC staff determined that the plant should return to the normal level of oversight.

The NRC will host a public event in the vicinity of each plant to discuss the details of the annual assessment results.

In late September 2018, the Nuclear Energy Innovation Capabilities Act of 2017 was signed into law. The Act requires the U.S. Department of Energy (DOE) and the NRC to enter into a memorandum of understanding (MOU) on specific topics related to advanced reactors and authorizes the agencies to enter into an MOU on additional advanced reactor topics. The NRC staff has been working with DOE to develop an MOU to implement provisions of the Act.

In January 2019, the Nuclear Energy Innovation and Modernization Act was signed into law. The Act includes provisions on a variety of topics related to the NRC, such as the annual budget request, fees, reports to Congress, performance metrics and milestone schedules for "requested activities of the Commission," and the licensing process for commercial advanced reactors and research and test reactors. The NRC is progressing in each area to ensure timely implementation of the Act's requirements and submitted the first set of congressional reports required by the Act in April 2019.

Other Noteworthy Activities in the Past 6 Months

On October 17, 2018, the Radiation Source Protection and Security Task Force submitted its fourth report to the President and Congress as required by the Energy Policy Act of 2005. The task force, chaired by the NRC, is comprised of staff from 14 Federal agencies and one state organization with broad authority over all aspects of radioactive source control, including regulatory, security, intelligence, and international activities. The task force report indicated that substantial progress has been made since the events of September 11, 2001, to enhance the protection of radioactive sources from terrorist threats, and that there are no significant gaps in the area of source protection and security that are not already being addressed through continued attention by appropriate task force agencies.

In November 2018, the NRC released its fiscal year (FY) 2018 financial report, providing audited financial statements of the agency's management of resources from October 1, 2017, through September 30, 2018. The report documents continued reductions in the NRC's budget, reflecting adjustments for the agency's workload and the implementation of efficiencies that reduce the cost of operations.

In March 2019, about 3,000 people from the United States and 33 other countries attended the NRC's 31st annual Regulatory Information Conference, which focused this year on innovation and transformation. The conference is an opportunity for attendees to discuss issues related to the safety and security of commercial nuclear facilities and current regulatory activities. Technical sessions featured discussions of significant domestic and international issues such as cybersecurity, risk-informed analysis, advanced and small modular reactors, spent fuel research activities, recent reactor material issues, and the Reactor Oversight Process.

Significant regulatory activities during the reporting period included proposed changes to the NRC's regulations for licensing, inspection, special project, and annual fees that the agency would charge applicants and licensees for FY 2019. The Commission also affirmed a final rule for mitigating beyond-design basis events at U.S. reactors based on lessons learned from the March 2011 accident at Japan's Fukushima Dai-ichi plant. The rule makes generically applicable the orders that the NRC issued in March 2012 and requires most U.S. nuclear power plants to comply with its requirements within 2 years and 30 days of the rule's publication in the *Federal Register*. Those plants subject to the NRC's Containment Venting Order of March 2013 must comply with the rule within 3 years and 30 days. The NRC and nuclear power plant licensees will continue other post-Fukushima efforts outside of the rulemaking context.

Finally, from October 2018 through March 2019, the agency conducted more than 500 public meetings, in the Washington, DC area and in States and communities with NRC-licensed or proposed facilities, to address a full range of NRC issues. Also during this time, the NRC received 190 new Freedom of Information Act requests and closed 315 such requests.

Please feel free to contact me or have your staff contact Eugene Dacus, Director of the Office of Congressional Affairs, at (301) 415-1776, if you have any questions or need additional information.

Sincerely,



Kristine L. Svinicki

Enclosure:
As stated

cc: Senator Sheldon Whitehouse

Identical letter sent to:

The Honorable Mike Braun
Chairman, Subcommittee on Clean Air
and Nuclear Safety
Committee on Environment and Public Works
United States Senate
Washington, DC 20510
cc: Senator Sheldon Whitehouse

The Honorable Bobby L. Rush
Chairman, Subcommittee on Energy
Committee on Energy and Commerce
United States House of Representatives
Washington, DC 20515
cc: Representative Fred Upton

The Honorable John A. Barrasso
Chairman, Committee on Environment
and Public Works
United States Senate
Washington, DC 20510
cc: Senator Thomas R. Carper

The Honorable Frank Pallone, Jr.
Chairman, Committee on Energy
and Commerce
United States House of Representatives
Washington, DC 20515
cc: Representative Greg Walden

The Honorable Paul Tonko
Chairman, Subcommittee on Environment
and Climate Change
Committee on Energy and Commerce
United States House of Representatives
Washington, DC 20515
cc: Representative John Shimkus

The Honorable Marcy Kaptur
Chairman, Subcommittee on Energy
and Water Development
Committee on Appropriations
United States House of Representatives
Washington, DC 20515
cc: Representative Mike Simpson

The Honorable Lamar Alexander
Chairman, Subcommittee on Energy
and Water Development
Committee on Appropriations
United States Senate
Washington, DC 20510
cc: Senator Dianne Feinstein