



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

May 7, 2021

MEMORANDUM TO: Eric Rivera
Acting Assistant Inspector General for Audits
Office of the Inspector General

FROM: Darrell J. Roberts */RA/*
Deputy Executive Director for Materials, Waste,
Research, State, Tribal, Compliance, Administration
and Human Capital Programs
Office of the Executive Director for Operations

SUBJECT: STAFF RESPONSE TO THE OFFICE OF THE INSPECTOR
GENERAL'S AUDIT OF THE U.S. NUCLEAR REGULATORY
COMMISSION'S USE OF REQUESTS FOR ADDITIONAL
INFORMATION IN LICENSING PROCESSES FOR SPENT
NUCLEAR FUEL (OIG-21-A-08)

The staff received the Office of the Inspector General's (OIG) "*Audit of the NRC's Use of Requests for Additional Information in Licensing Processes for Spent Nuclear Fuel*," dated April 9, 2021. This memorandum provides the staff's response to the audit recommendations. The response includes the planned actions and the target dates for completing the planned actions.

The OIG audit report finds that the NRC's use of requests for additional information in the spent fuel licensing process is effective and efficient. The OIG report made three recommendations regarding requests for additional information in spent nuclear fuel licensing processes to further enhance the program. The OIG's recommendations and staff's responses are provided below.

CONTACT: John B. McKirgan, NMSS/STLB
301-415-5722

Recommendation 1:

Update guidance to document strategies or tools to be used for risk-informing requests for additional information.

Response and Planned Action

The NRC staff agrees with the recommendation. The newly developed Division of Fuel Management Instruction on performing an acceptance review includes additional aspects of being risk-informed, such as identifying the significance of each request during the draft request for information stage, clarification calls, and part of division management engagement of any subsequent rounds of requests. The staff has issued guidance for the pilot use of the risk tool and will begin finalizing the guidance. Division management has also issued an “expectations memo” that reinforces risk-informed decision-making in all licensing processes. Additionally, NRC staff plans to hold early assignment and alignment meetings that use risk insights to help inform the scope, focus, and level of detail of each of the technical review areas involved in a review to support the review of licensing actions.

Target date for completion:

Complete action by first quarter FY2022.

Point of contact:

John B. McKirgan, NMSS/DFM/STLB, 301-415-5722

Recommendation 2:

Conduct training across the division on how to risk-inform relative to the request for additional information process, and conduct refresher training on an as needed, periodic basis.

Response and Planned Action

The NRC staff agrees with the recommendation and plans to continue and complete training (including a “Popup” seminar, “Be RiskSMART,” in June, and other informal workshops and knowledge management sessions) on the division instruction for requests for additional information, applying the risk tool, and clarify what it means to be risk-informed in the context of the request for additional information process, and applying risk insights to the request for additional information process and other licensing processes.

Target date for completion:

Complete action by first quarter FY2022.

Point of contact:

John B. McKirgan, NMSS/DFM/STLB, 301-415-5722

Recommendation 3:

Create and implement a formalized process to facilitate effective management transitions in the Division of Fuel Management.

Response and Planned Action

The NRC staff agrees with the recommendation and plans to develop and implement a turnover checklist to be used when making management changes. The checklist will be included in a division-wide expectations memorandum. In addition, staff will continue to expand the use of Nuclepedia as a knowledge management tool to capture important technical positions and recurrent request for information issues. Review of the branches' Nuclepedia inputs will be added to the turnover checklist.

Target date for completion:

Complete action by second quarter FY2022.

Point of contact:

John B. McKirgan, NMSS/DFM/STLB, 301-415-5722

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 FOR SPENT NUCLEAR FUEL (OIG-21-A-08), DATED: May 7, 2021

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