



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

January 25, 2022

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

FROM: John W. Lubinski, Director
Office of Nuclear Material Safety
and Safeguards

A handwritten signature in black ink, appearing to be "J. Lubinski".

Signed by Lubinski, John
on 01/25/22

SUBJECT: STATUS OF RECOMMENDATIONS FOR THE AUDIT OF THE
NRC'S USE OF REQUESTS FOR ADDITIONAL INFORMATION
IN LICENSING PROCESSES FOR SPENT NUCLEAR FUEL
(OIG-21-A-08)

The purpose of this memorandum is to provide the Office of the Inspector General (OIG) with a status on the recommendations in OIG-21-A-08, "Audit of the NRC's Use of Requests for Additional Information in Licensing Processes for Spent Nuclear Fuel" (Agencywide Documents Access and Management System [ADAMS] Accession No. [ML20169A269](#)).

Recommendation 1:

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

Staff Response:

On May 7, 2021, the staff agreed with the recommendation and identified aspects of being risk-informed that appear in the newly developed Division of Fuel Management (DFM) Instruction on performing an acceptance review (ADAMS Accession No. [ML21113A063](#)). In January 2020, Division management issued an "expectations memo" reinforcing risk-informed decision-making in all licensing processes (ADAMS Accession No. [ML20010D837](#)). In December 2021, the staff subsequently issued two division instructions involving requests for additional information and risk-informing the review process.

In accordance with the new division instructions, U.S. Nuclear Regulatory Commission (NRC) staff should conduct early assignment and alignment meetings using risk insights to help inform the scope, focus, and level of detail of each technical area involved in the review of licensing and certification actions. Based on the experience from the staff's pilot of the risk tool on two storage system amendment requests (ADAMS Accession No. [ML20318A268](#)), the staff is

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preparing an assessment and observations report which includes recommendations for refinements and improvements to the tool.

With the completion of the division instructions, which institutionalized consideration of risk insights in early assignment/alignment meetings, deployment of the risk tool, and issuance of the expectations memo, DFM has completed its actions for this recommendation.

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.

Staff Response:

On May 7, 2021, the staff agreed with the recommendation and proposed to continue and complete training related to risk informing the licensing processes for spent fuel storage and transportation. In 2020 and 2021, the staff participated in 6 pop-up seminars for “Be RiskSMART.” Additionally, this training has been established as a course in NRC’s Talent Management System (“Be riskSMART: A Tool for Everyone”). Also, in December 2021, DFM conducted training for staff on the two division instructions discussed above that address risk-informing the review process. This training provided guidance on making risk-informed decisions during the licensing and certification processes for spent fuel storage requested actions, which includes the request for additional information process. With the completion of this training, DFM has completed its actions for this recommendation.

Recommendation 3:

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

Staff Response:

On May 7, 2021, the staff agreed with the recommendation and proposed to develop and implement a turnover checklist to be used when making management changes. On December 17, 2021, the staff finalized the checklist and included it in a division-wide expectations memorandum, both available on the Division’s internal SharePoint site. In addition, as proposed in the staff response, DFM staff expanded the use of Nuclepedia as a knowledge management tool. Since the OIG audit, DFM staff participated in the NMSS Office-wide Nuclepedia “Create-a-thon.” Some of the input received during the event was incorporated in the management turnover checklist. The division started implementing this checklist when it was issued, and it will be part of the responsibilities of a new supervisor. With the completion of these activities, DFM has completed its actions for this recommendation.

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