



## Fuel Cycle Smarter Licensing Status Update

May 18, 2022

### Background:

The NRC charter for building a smarter fuel cycle licensing program is dated April 26, 2019, (ADAMS Accession No. [ML19115A016](#)). On April 30, 2020 (ADAMS Accession No. [ML20099F354](#)), the NRC smarter licensing working group issued a report that included recommendations for addressing the collected suggestions from both internal and external stakeholders.

Division management endorsed the implementation of the recommendations and directed the staff to develop an action plan (AP) dated July 10, 2022 (ADAMS Accession No. [ML20184A267](#)). The AP grouped the implementation of the recommendations into three general categories: Near-term actions, Mid-term actions, and Long-term actions.

The NRC staff has completed incorporation of the smarter licensing Near- and Mid-Term recommendations into the guidance and procedures tracked in the Division Instructions (DIs) entitled: LIC-FM-1 – Licensing Overview ([ML22130A659](#)), LIC-FM-2 – Acceptance Review Process, LIC-FM-3 – Requests for Additional Information (RAIs), and LIC-FM-4 – Safety Evaluation Reports (SERs). In addition, work on the Mid-Term recommendations to develop job-aids, templates, and training have also been completed. Work on the Long-Term recommendations will be processed as resources and priorities allow. The LIC-FM-1 was made publicly available on May 12, 2022. The other DIs identified above are under review for public release.

The enclosure below provides a summary of the smarter licensing recommendations and a crosswalk to the section in each DI where the recommendation is implemented.

### Objective:

To provide a status update on the staff's ongoing efforts to revise and implement approved smarter licensing recommendations, which consist of Near-, Mid-, and Long-Term recommendations.

### ACCOMPLISHMENTS

1. Provided status updates at the Fuel Facilities Stakeholder Meeting, 05/17-18/2022, see [ML22175A185](#).
2. The Near- and Mid-term recommendations have been incorporated into the following DIs:
  - LIC-FM-1 Licensing Overview.
  - LIC-FM-2 Acceptance Review Process (Draft),
  - LIC-FM-3 Requests for Additional Information (Draft), and
  - LIC-FM-4 Safety Evaluation Reports (Draft)
3. The status of the various Near-, Mid-, and Long-term recommendations are summarized in the table below.

### NEXT STEPS

Finalize the remaining DIs and make them publicly available.

### Points of Contact:

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## Summary of Smarter Licensing Recommendations with Status and Cross Reference to the Division Instructions

Recommendation	DESCRIPTION	Task	LIC-FM-1	LIC-FM-2	LIC-FM-3	LIC-FM-4	Status	Finish Date	
NT-0	16	Make internal guidance publicly available.	Make Division Instructions (DIs) Public				Ongoing	End 2022	
	19	Ensure Smarter Licensing (SL) revisions to the DIs are discussed during training	Training on DIs				Completed	2022	
	32	Harmonize, incorporate good practices, and combine, where appropriate, the staff review procedures and instructions within the Division of Fuel Management (DFM).	Develop DI				Completed	Spring 2022	
NT-1	1	Establish schedule and estimate date of completion of technical review with input from licensee.	Add to DIs	2.4, 5) 2.11.4, a) 2.11.4, b) 2.11.5, b)(3) 2.12.2 (first paragraph)	2.3.4 2.3.7 2.3.9 2.3.10 2.11.1(e)(2)	2.8	Completed	Spring 2022	
	2	Share metrics and estimated hours needed for the completing the technical review with the licensee.	Add to DIs	2.12.2 (first paragraph)	2.3.9 2.3.10 2.11.1(e)(2)	2.8	Completed	Spring 2022	
	3	Update status of the review as it progresses, including using of routine status calls between the U.S. Nuclear Regulatory Commission (NRC) and the applicant.	Add to DIs	2.4 (introduction, second sentence) 2.4 (second paragraph) 2.4.1, a)				Completed	Spring 2022
	6	Coordinate and share with the applicant the review milestones/schedule including milestones for actions/areas to be completed by supporting organizations (e.g., NRC offices, external contributors, centers of excellence).	Add to DIs	2.11.4, a) 2.11.4, b) 2.11.5, b)(1) 2.12.2 (first paragraph)	2.3.9 2.3.10 2.11.1(e)(2)	2.8	Completed	Spring 2022	
	29	Improve, and incorporate into review guidance, the early processing, alignment, and documentation of the expected focus, scope, and level of detail of reviews and sharing this information with the applicant.	Add to DIs	2.11 (introduction) 2.12.1, c) 2.15.1	2.3.5 2.3.9			Completed	Spring 2022
NT-2	4	Meeting with the applicant during the acceptance review phase to better understand the unique aspects of the applicant's request and identify complexities or unique aspects of the review.	Add to DIs	2.4.3, c)(3) 2.4.3, c)(4)	2.3.6 2.7.3 (introduction) 2.7.3(a)		Completed	End of 2021	
	7b	Holding site visit during the pre-application or acceptance review phases that include all expected reviewers.	Add to DIs	2.4 (5th paragraph) 2.4.3, e) (second paragraph) 2.4.4 (introduction) 2.4.4, a) 2.15.1, c)	2.3.6 2.7.3(a)		Completed	End of 2021	
	27	Apply a holistic approach in gaining early alignment on the expected scope of the review and need for management approval to modify the scope, if needed.	Add to DIs	2.4.4 (introduction) 2.4.4, a) 2.15.1	2.3.9			Completed	End of 2021

Recommendation	DESCRIPTION	Task	LIC-FM-1	LIC-FM-2	LIC-FM-3	LIC-FM-4	Status	Finish Date	
NT-3	5	Encourage combining multiple steps (e.g., acceptance and approval letters) for simple applications.	Add to DIs	2.2, item 2) second paragraph 2.6.3, second paragraph 2.11.5, a)(1) 2.11.5, a)(2) 2.11.5, c)	2.3.2 2.5.1 2.5.3 2.7.1(a) 2.11 (introduction)		Completed	End of 2021	
	17	Develop an automated tool to track licensing actions in accordance with the Nuclear Energy Innovation and Modernization Act (NEIMA).	Add to DIs	2.11.4, c) 2.14			Completed	End of 2021	
	28	Revise guidance and associated metrics to allow combining review steps for expected short-duration and straight-forward license application reviews.	Add to DIs	2.2, item 2) second paragraph 2.6.3 (second paragraph) 2.11.5, a)(1) 2.11.5, a)(2) 2.11.5, c)	2.3.2 2.5.1 2.7.1(a) 2.11 (introduction)		Completed	End of 2021	
NT-4	7a	Hold a site visit, especially for major license amendments, license renewals, and new applications, at the draft Request for Additional Information (RAI) phase involving the pertinent reviewers.	Add to DIs	2.4.4 (introduction) 2.4.4, a) 2.11.5, a)(4)		2.7.3	Completed	Spring 2022	
	8	Ensure the RAIs have a documented regulatory basis.	Add to DIs			2.4.1	Completed	Spring 2022	
	9	9a - Provide and discuss draft RAIs to the applicant to confirm understanding of request and anticipated level of effort needed to develop the response.	Add to DIs		2.9.4 2.13.1 2.13.2	2.3.3, d)(3) 2.7.1, b) 2.7.2, a) 2.9.1, a) 2.10.1, a) Appendix C, Item (2)		Completed	Spring 2022
		9b - Also hold a call with the applicant to discuss their draft RAI responses.	Add to DIs			2.7.1, b) 2.7.2, b) Appendix C, Item (3)		Completed	Spring 2022
	10	Establish RAI timeliness metric considerations for application reviews in which RAIs are developed in a phased manner.	Add to DIs			2.3.3, d)(1) 2.3.3, d)(2) 2.3.3, d)(3) 2.3.3, d)(6) 2.13		Completed	Spring 2022
	11	Ensuring clarification calls with the applicant to support clarity and understanding of RAIs is not disincentivized by the meeting notice metrics.	Add to DIs			2.3.3, d)(3) 2.7.1, b) 2.7.2, a) 2.9.1, a) 2.10.1, a) Appendix C, Item (2)		Completed	Spring 2022
	12	Use the tools (e.g., job aids and templates) available to the NRC staff to minimize the potential for multiple rounds of RAIs.	Add to DIs	2.18.5, a) 2.18.5, b)		2.3.2, a)(2) 2.3.2, c) 2.4.2, d) 2.4.2, d)(1) 2.4.2, e) Appendix B	2.1.4.2 2.1.4.2(1)	Completed	Spring 2022
	13a	Ensure the continuity of the quality, effectiveness, and efficiency of the licensing review process during NRC staff turnover.	Add to DIs	2.18.3, c) 2.18.5, b)		2.4.2, d) 2.4.2, d)(1) 2.4.2, e) 2.14	2.1.4.2 2.1.4.2(1)	Completed	Spring 2022

22	Use an electronic interface with applicants, including in support of review planning and implementation, such as for the RAI phase.	Add to DIs			2.7.1, c)		Completed	Spring 2022
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Recommendation	DESCRIPTION	Task	LIC-FM-1	LIC-FM-2	LIC-FM-3	LIC-FM-4	Status	Finish Date	
MT-1	15	Incorporate into review guidance the use of integrated, multi-disciplined, review teams.	Add to DIs	2.18.3, a)	2.3.5 2.3.9	2.4.3, a)		Completed	Spring 2022
	18	Ensure internal work requests identify appropriate NRC staff and that resource estimates are consistent with scope, focus, and level of detail of each review area.	Add to DIs	2.15.1	2.3.9			Completed	Spring 2022
	21	Provide guidance to ensure the Safety Evaluation Report (SER) documents the scope and focus of NRC staff reviews of licensing actions.	Add to DIs	2.4.3, f), second paragraph 2.18.5, b) (second paragraph)			2.1	Completed	Spring 2022
	25a	Facilitate inspector involvement early in the licensing review process.	Add to DIs	2.11.3, e)		2.4.2 (introduction)	2.1.3.5 2.13.4 2.13.5	Completed	Spring 2022
	27	Implement Near-Term (NT)2-27 and incorporate into appropriate training and job aids.	Add to DIs	2.18.2, a) 2.18.2, b)	2.8 (introduction)			Completed	Spring 2022
	29	Implement NT1-29 and incorporate into appropriate training and job aids.	Add to DIs	2.18.2, a) 2.18.2, b)	2.8 (introduction)			Completed	Spring 2022
	30	Develop a template for creating roadmaps and job-aids that describe the process for conducting technical reviews for various types of facilities and licensing actions.	Create a roadmap for licensing actions and templates					Future	To Be Determined
	31	Develop job aid to support review considering risk factors and impacts (i.e., risk considerations associated within specific phases of a review, including schedule risk and review/decision-making risks).	Add to DIs		2.3.9			Completed	Spring 2022
LT-1	13b	Develop formalized guidance on management turnover and keep briefing books up to date. (monitor what Inspector General (IG) group comes up with and make sure meets the need).	IG working group updates					Ongoing	To Be Determined
LT-2	14	Develop a process to capture and use lessons learned on major licensing actions in future reviews.	LIC-FM-1	2.24				Completed	Spring 2022
	23	Consistent with LT-2-14, update guidance for license renewals taking into consideration lessons learned (e.g., update NUREG-1520).	Update NUREG-1520					Future	To Be Determined
LT-3	20	Develop a standard review plan for reviews of greater than critical mass licensees/applicants.	Develop SRP					Ongoing	To Be Determined
LT-4	24	Create a roadmap for each type of license and major activity that identifies the appropriate regulations, guidance, procedures, job aids, etc. that should be used.	Develop roadmap for templates					Future	To Be Determined
	25b	Develop a central repository and common profiling of licensing basis documents as part of the road map described in Long-Term (LT)-4-24.	Make roadmap easily accessible to staff					Future	To Be Determined
LT-5	26	Institutionalize post-review lessons learned activities of new or complex applications to improve guidance and inform future new and novel application reviews.	LIC-FM-1, Guidance for new types of facilities	2.24.1				Future	To Be Determined

LIC-FM-1: "Overview of the Licensing and Certification Process of NRC-Regulated Activities"  
LIC-FM-2: "Acceptance Review Process"  
LIC-FM-3: "Request for Additional Information"  
LIC-FM-4: "Safety Evaluation Report"

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DISTRIBUTION:

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