

**RESPONSE SHEET**

**TO:** Brooke P. Clark, Secretary  
**FROM:** Commissioner Caputo  
**SUBJECT:** COMSECY-22-0013: Renewal of Advisory Committee on Reactor Safeguards Charter

Approved  X  Disapproved \_\_\_\_\_ Abstain \_\_\_\_\_ Not Participating \_\_\_\_\_

**COMMENTS:** Below  X  Attached \_\_\_\_\_ None \_\_\_\_\_

I approve renewal of the Advisory Committee on Reactor Safeguards Charter subject to the attached edits. I appreciate Commissioner Wright's suggestions regarding the responsibilities of the Designated Federal Officer and propose edits along that same line. I believe that these improvements will enhance the efficiency of these meetings by maintaining focus and comity.

**Entered in STARS**

Yes  X

No \_\_\_\_\_

\_\_\_\_\_  
**Signature**

\_\_\_\_\_  
**Date**

[AXC edits](#)

**UNITED STATES NUCLEAR REGULATORY COMMISSION  
CHARTER FOR THE ADVISORY COMMITTEE ON REACTOR SAFEGUARDS**

**1. Committee's Official Designation (Title):**

Advisory Committee on Reactor Safeguards (Committee or ACRS)

**2. Authority:**

ACRS is a statutory Committee under Section 29 of the Atomic Energy Act of 1954, as amended (AEA), 42 U.S.C. § 2039.

**3. Objectives and Scope of Activities:**

a. Section 29 of the AEA provides:

"There is hereby established an Advisory Committee on Reactor Safeguards consisting of a maximum of fifteen members appointed by the Commission for terms of four years each. The Committee shall review safety studies and facility license applications referred to it and shall make reports thereon, shall advise the Commission with regard to the hazards of proposed or existing reactor facilities and the adequacy of proposed reactor safety standards, and shall perform such other duties as the Commission may request. One member shall be designated by the Committee as its Chairman. The members of the Committee shall receive a per diem compensation for each day spent in meetings or conferences, or other work of the Committee, and all members shall receive their necessary traveling or other expenses while engaged in the work of the Committee. The provisions of Section 163 shall be applicable to the Committee."

b. Section 182b. of the AEA provides:

"The Advisory Committee on Reactor Safeguards shall review each application under section 103 or section 104b. for a construction permit or an operating license for a facility, any application under section 104c. for a construction permit or an operating license for a testing facility, any application under section 104a. or c. specifically referred to it by the Commission, and any application for an amendment to a construction permit or an amendment to an operating license under section 103 or 104a., b., or c. specifically referred to it by the Commission, and shall submit a report thereon which shall be made part of the record of the application and available to the public except to the extent that security classification prevents disclosure."

- c. Chapter 21, Section 313(f), of the AEA, as amended by Public Law 100-456, The National Defense Authorization Act, Fiscal Year 1989, established the Defense Nuclear Facilities Safety Board and provides that:

“With the consent of and under appropriate support arrangements with the Nuclear Regulatory Commission, the Board may obtain the advice and recommendations of the staff of the Commission on matters relating to the Board’s responsibilities and may obtain the advice and recommendations of the Advisory Committee on Reactor Safeguards on such matters.”

- d. 10 CFR § 1.13 provides that the ACRS:

“... upon request of the Department of Energy (DOE), reviews and advises with regard to the hazards of DOE nuclear activities and facilities; reviews any generic issues or other matters referred to it by the Commission for advice. The Committee, on its own initiative, may conduct reviews of specific generic matters or nuclear facility safety-related items.”

- e. Section 6 of Public Law 95-209 added the ACRS Fellowship Program, providing that:

“To assist the Advisory Committee on Reactor Safeguards in carrying out its function, the ~~C~~ommittee shall establish a fellowship program under which persons having appropriate engineering or scientific expertise are assigned particular tasks relating to the functions of the ~~C~~ommittee. Such fellowships ~~are~~ shall be for 2-year periods and the recipients of such fellowships shall be selected pursuant to such criteria as may be established by the ~~C~~ommittee.”

- f. 10 CFR §§ 52.23, 52.53, and 52.87 provide that the application for Early Site Permits, Standard Design Certifications, and Combined Licenses, respectively, be referred by the Commission to the ACRS and that the ACRS report on those portions of the applications which concern safety.
- g. 10 CFR § 54.25 provides that each application for the renewal of an Operating License for a nuclear power plant be referred to the ACRS and that the ACRS review and report on each application.
- h. The ACRS shall report to and advise the Commission on issues associated with nuclear materials and waste management. The bases of reviews include 10 CFR Parts 20, 40, 50, 60, 61, 70, 71, and 72, and other closely related regulations and legislative mandates. These reviews shall include matters related to waste management, radiation health effects, and health physics as they pertain to the disposal of nuclear waste (including transportation issues) and the processing of nuclear materials.

**Commented [A1]:** Edited to match the text of Section 6 of Public Law 95-209 as shown at page 832 of "Nuclear Regulatory Legislation: 113th Congress; 2nd Session (Volume 2, Number 11)," NUREG-0980. See also 91 STAT. 1483.

#### 4. Description of Duties:

See item 3 above.

**5. Officials to Whom this Committee Reports:**

Commissioners  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555

**6. Agency Responsible for Providing Necessary Support for the Committee**

U.S. Nuclear Regulatory Commission

**7. Estimated Annual Operating Costs and Staff Years:**

- a. \$6,000,000<sup>1</sup>
- b. 27.1

**8. Designated Federal Officer:**

A full-time federal employee will serve as the Designated Federal Officer (DFO). The DFO will approve or call all of the advisory committee and subcommittee meetings, prepare and approve all meeting agendas, attend all committee and subcommittee meetings, adjourn any meeting when the DFO determines adjournment to be in the public interest, and chair meetings when called upon to do so. The DFO should ensure that the committee and subcommittee meetings are consistent with the published meeting agenda. The DFO should remind the Chair if the committee procedures and policies are not complied with properly to ensure comity. The DFO should advise the Chair if members repeatedly address subjects not under discussion by the committee or subcommittee.

**9. Estimated Number of Meetings per Year:**

Approximately 10 meetings per year of the full Committee; and an estimated 50 meetings per year of ACRS subcommittees.

**10. Duration:**

Continuing Committee

**11. Termination:**

Not applicable, ACRS is a statutory continuing committee.

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<sup>1</sup> Cost figures are based on the General Services Administration's Annual Federal Advisory Committee Act reporting requirements. Committee operating costs include compensation to members, staff and consultants, travel costs, and administrative costs such as rent, graphics, mail, etc.

**12. Membership and Designation:**

Members are appointed by the Commission as Special Government Employees, as provided in Section 29 of the Atomic Energy Act of 1954, as amended. The Committee is comprised of up to 15 members, including individuals with a wide variety of engineering expertise. The membership currently includes expertise in nuclear engineering, risk assessment, chemistry, facility operations management, severe accident phenomena, materials science and metallurgy, digital instrumentation and control systems, thermal hydraulic and heat transfer, and mechanical, civil, and electrical engineering.

**13. Subcommittees:**

The Committee may create subcommittees that report to the full committee. All work prepared by subcommittees is reviewed and approved by the full committee.

**14. Recordkeeping:**

The Committee records will be handled in accordance with General Records Schedule 6.2 and approved NRC records disposition schedules. These records shall be available to the public for inspection and copying, subject to the Freedom of Information Act, 5 U.S.C. 552.

**15. Filing Date:**

December X, 2022

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Russell E. Chazell  
Federal Advisory Committee Management Officer  
Office of the Secretary