



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

June 5, 2025

MEMORANDUM TO: John Lubinski, Director
Office of Nuclear Materials Safety
and Safeguards

FROM: Dafna Silberfeld, Director
Division of Materials Safety, Security,
State, and Tribal Programs
Office of Nuclear Materials Safety
and Safeguards

SUBJECT: AVAILABILITY OF SELF-ASSESSMENT INFORMATION TO
PUBLIC; RESPONSE TO TICKET OEDO-25-00253-4

Dafna Silberfeld Signed by Silberfeld, Dafna
on 06/05/25

The purpose of this memo is to provide a response to the Office of the Executive Director of Operations (OEDO) Ticket OEDO-25-00253, Task 4, which addressed Staff Requirement Memo, Proposed Suspension of Some Staff Self-Assessment Activities for Calendar Years 2024 and 2025 (ML25104A272), dated April 14, 2025. In this ticket, the staff was asked to ensure that while self-assessment activities are suspended, there are other means the information is available to the public. For the Agency Action Review Meeting (AARM), the staff believes that the current level of information that is within the public domain is sufficient and that the ticket should be closed.

Each year, NMSS participates in the AARM program with three major milestones: the issuance of the annual AARM SECY paper, the EDO-led AARM, and the Commission Briefing on the AARM Results. The presentations provided during the EDO-led meeting and the Commission Briefing closely align with the content included in the annual AARM SECY paper. Each year, the AARM SECY paper is publicly available and is posted on the NRC public website, SECY Papers. The EDO-led AARM is an internal meeting. The Commission Briefing is publicly available, however is not widely attended by external stakeholders.

The AARM SECY paper provides an overview of the Nuclear Materials and Waste Safety Program. The SECY paper summarizes various publicly available assessments and reports to provide a general conclusion on whether the implementation of the Nuclear Materials and Waste Safety Program was effective. As we discussed, I am providing a crosswalk of the sections of the annual AARM SECY paper and the publicly available assessments and reports would have been summarized, if an AARM SECY paper had been issued this year.

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If created, the Annual Report to the Commission on Licensee Performance in the Nuclear Materials and Waste Safety Program for Fiscal Year 2024 would have included the following sections.

Licensees with Significant Performance Issues

For Fiscal Year (FY) 2024, no licensees were identified that met the criteria for significant performance issues warranting discussion at the AARM. Despite the deferral of the AARM-related activities, this assessment was still done with staff and management, as provided in COMSECY-25-0001, "Proposed Suspension of Some Staff Self-Assessment Activities for Calendar Years 2024 and 2025 (ML24271A119)," dated January 17, 2025. There is not a record on the public domain that provides that conclusion, however since the results are null, the benefit of providing a publicly available report to share this conclusion is not worth the administrative burden.

Strategic Goals and Performance Measure Data

The 2024 Annual Performance Report (ML25022A307) is publicly available. NMSS's performance relative to Strategic Goal 1, "Ensure the Safe and Secure Use of Radioactive Materials," would have been directly relevant to the assessment in the SECY paper. All four business lines met the performance goals for both safety and security, with no occurrences which met the reporting criteria.

Escalated Enforcement Action Review

This section normally includes a review of escalated enforcement actions including notices of violation (NOVs) for Severity Level I, II, and III violations; problems; civil penalties; NOVs to individuals; and orders to modify, suspend, or revoke NRC licenses or the authority to engage in NRC-licensed activities. The assessment included in the AARM SECY paper covers the previous *Fiscal Year*. A similar assessment is done in the Annual Enforcement Report, which has a scope of *Calendar Year*. Since the Annual Enforcement Report is provided on the public, it is believed to have sufficient visibility; <https://www.nrc.gov/reading-rm/doc-collections/enforcement/annual-rpts/index.html>. The Enforcement Program Annual Report Calendar Year 2024 (ML25139A124) is also publicly available on ADAMS.

Operating Experience

The Annual NMED Report FY24 (ML25077A277) is publicly available and is a detailed overview of Nuclear Materials Users events. This includes both trending and summaries of significant events.

Generic Communications are publicly available on the website.

- NRC Information Notice (IN) 2024-03, "Information Regarding Licensee Requirements for Transport and Storage of Certain Category 2 Quantities of Radioactive Materials (ML24108A152)."
- IN 2024-04, "Recent Medical Events Involving Administration of Therapeutic Radiopharmaceuticals (ML24138A129)."

- IN 24-01, Minimization and Control of Contamination Involving Discrete Radioactive Particles at Decommissioning Facilities (ML23195A074)."

The "Oversight Effectiveness Assessment of the Nuclear Material Safety and Safeguards Inspection Programs" (ML24260A251) is publicly available. NMSS assessed oversight activities and requirements to ensure consistency across the NMSS inspection programs. This effort consisted of an evaluation of the current inspection programs and associated guidance for each of the business lines (BLs) in NMSS. The purpose of this effort was to understand the tools currently in place to monitor the implementation of the inspection programs across NMSS and to improve those tools as needed.

Abnormal Occurrence Data

The NUREG 90, Abnormal Occurrence Report to Congress for FY24 has not yet been posted on the public website but overall gets good visibility; <https://www.nrc.gov/reading-rm/doc-collections/nuregs/staff/sr0090/index.html>. This section of the AARM SECY paper includes the number of abnormal occurrences but does not go into detail on the individual events.

Integrated Materials Performance Evaluation Program

The Annual Report on Agreement States and U.S. NRCs Radioactive Materials Program, FY24 (ML25069A524) is publicly available. This section normally just provides a very high-level overview.

Programmatic Improvement and Self-Assessment

The AARM SECY paper, if issued, would have provided an overview of Fuel Cycle Facility Inspection Oversight Program Self-Assessment (ML24242A102). Both the memo and the report are publicly available.

Conclusion

Based on the review of licensee performance trends, operating experience reports, and identified improvements documented in this paper, the staff would have concluded that the Nuclear Materials and Waste Safety Program was functioning effectively to protect public health and safety. There were no discernible adverse licensee performance trends and no significant nuclear materials issues. Since the answer to this assessment is null, no extra communication needs to be done.

While the AARM self-assessment activities are suspended, we believe that the information normally summarized in the NMSS AARM SECY paper is already available to the public and does not require any extra posts to the NRC public website or the issuance of a publicly available Information SECY paper.

SUBJECT: AVAILABILITY OF SELF-ASSESSMENT INFORMATION TO PUBLIC; RESPONSE TO TICKET OEDO-25-00253 TASK 4, DATED JUNE 5, 2025.

DISTRIBUTION: Ticket Number OEDO-25-00253

Public (if applicable)

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***via email**

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DATE June 5, 2025

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