

March 26, 2009

MEMORANDUM TO: R. W. Borchardt
Executive Director for Operations

FROM: Annette L. Vietti-Cook, Secretary **/RA/**

SUBJECT: STAFF REQUIREMENTS – SECY-08-0161 – REVIEW OF
RESEARCH AND TEST REACTOR LICENSE RENEWAL
APPLICATIONS

The Commission has approved working off the current backlog in research and test reactor (RTR) license renewal applications by making near-term improvements using some combination of the streamlining options described in Enclosure 1 to SECY-08-0161. The staff, in conjunction with the RTR community and public stakeholders, should work on an interim streamlining process to focus the review on the most safety significant aspects of the license renewal application. The staff should streamline the review process to ensure that it becomes more efficient and consistent, and thereby reduce uncertainties in the process for both the RTR community and NRC while ensuring that the RTR licensees are in compliance with applicable regulatory requirements. The staff should immediately implement appropriate short-term program initiatives for license renewal applications that are currently under review and provide a memorandum to the Commission with an update of this progress by May 31, 2009. The staff should plan to complete reviews of the outstanding applications within 18 months.

(EDO)

(SECY Suspense:

5/31/09)

In developing the program initiatives, the staff should implement a graded approach whose scope is commensurate with the risk posed by each facility and incorporate elements of Enclosure 1's alternate safety review approach. This would result in the staff not having to unnecessarily reanalyze items that the NRC had previously reviewed and approved. The staff should use risk insights from the RTR security assessments that were completed in 2006 to inform the establishment of a dose threshold as a measure of risk. Facilities that present the least risk should be subjected to a review commensurate with their level of risk but that would support the required finding that the licensee is in compliance with applicable regulatory requirements. The staff should immediately begin to develop Interim Staff Guidance (ISG) to implement this risk screening process, and use of ISGs should begin within three months. Stakeholder outreach should include public meetings, and should aim to ensure that RTR licensees and interested members of the public have prior notice of the planned revisions to the license renewal process.

Concurrent with the short-term actions noted above, the staff should develop and submit a long-term plan for an enhanced RTR license renewal process for Commission review. The plan should include, but not be limited to, developing a basis for redefining the scope of the process, as well as a recommendation regarding the need for rulemaking and guidance development.

(EDO)

(SECY Suspense:

6/26/09)

The staff should submit to the Commission a resource request, including staffing and contract funding needs, to provide for implementing the interim changes to the review process, eliminating the backlog, and, in the long term, formalizing the review process changes and establishing a stable and predictable regulatory regime for RTRs. This long term plan should consider elements of the generic analysis approach, generic siting analysis, and the extended license term described in Enclosure 1 to SECY-08-0161.

(EDO)

(SECY Suspense:

5/7/09)

cc: Chairman Klein
Commissioner Jaczko
Commissioner Lyons
Commissioner Svinicki
OGC
CFO
OCA
OPA
Office Directors, Regions, ACRS, ASLBP (via E-Mail)
PDR