Tracking the Smarter Licensing Recommendations

U.S.NRC United States Nuclear Regulatory Commission *Protecting People and the Environment*	Smarter Inspection Enhancement	Project Status as of 10/30/2021

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, 20220 (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 current focus of the smarter licensing team is to incorporate the Near-Term recommendations into the guidance and procedures tracked in the Division Instructions (DIs) entitled: LIC-FM-1 – Licensing Overview, LIC-FM-2 – Acceptance Review Process, LIC-FM-3 – Requests for Additional Information (RAIs), and LIC-FM-4 – Safety Evaluation Reports (SERs). Work on the Mid-Term recommendations to develop job-aids, templates, and training have started and will increase as the NRC staff transition for DI development to implementation. Work on the Long-Term recommendations will be processed as resources and priorities allow.

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 Update at the Fuel Facilities Stakeholder Meeting, March 2021, see ML21120A058
2. Provided Status Update at the Public Meeting, June 2021, see ML21200A120
3. The Near-Term recommendations have been incorporated into the following DIs which are in the final stages of concurrence:
    • LIC-FM-1 Licensing Overview (Draft),
    • LIC-FM-2 Acceptance Review Process (Draft),
    • LIC-FM-3 Requests for Additional Information (Draft), and
    • LIC-FM-4 Safety Evaluation Reports (Draft)
4. Implementing recommendations as summarized in the table below.

NEXT STEPS

1. Finalize the DIs and make them publicly available.
2. Conduct NRC staff training on the Near-Term recommendations in the finalized DIs.
3. Develop job-aids and templates for implementations of the Mid-Term recommendations.

Points of Contact:

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Tracking Implementation for the Smarter Licensing Recommendations

Completed	In Process	Projected

Recommendation		DESCRIPTION	Task	Status	Finish Date
NT-0	16	Make internal guidance publicly available.	Make DIs Public	Future	2022
	19	Ensure Smarter Licensing (SL) revisions to the Division Instructions (DI)s are discussed during training	Training on DIs	Future	2022
	32	Harmonize, incorporate good practices, and combine, where appropriate, the staff review procedures and instructions within DFM.	Develop Division Instructions (DI)	Ongoing	End of 2021
NT-1	1	Estimate completion date based on the established schedule and share with licensee	DI, LIC-FM-1, 2, & 3	Ongoing	End of 2021
	2	Estimate the hours needed for the review and share with the licensee.	DI, LIC-FM-1, 2, & 3	Ongoing	End of 2021
	3	Establish regular and periodic status calls with the licensee.	DI, LIC-FM-1	Ongoing	End of 2021
	6	Ensure that milestone schedule includes the entirety of the review including areas beyond the technical review (e.g., environmental, external agencies)	DI, LIC-FM-1, 2, & 3	Ongoing	End of 2021
	29 (P1)	Improve early alignment between the NRC staff and the applicant on the scope and content of the submittal/review.	DI, LIC-FM-1 & 2	Ongoing	End of 2021
	29 (P2)	Seek early alignment with the review team on the scope and details of the review.	DI, LIC-FM-1 & 2	Ongoing	End of 2021
NT-2	4	For new, large, unique, or complex actions, consider holding meetings with the applicant during the pre-application phase or during the acceptance review.	DI, LIC-FM-1 & 2	Ongoing	End of 2021
	7 (P2)	7a - Coordinate site visits at the appropriate time and include non-technical staff who support the review (e.g., Office of General Counsel). 7b - Consider holding meetings or site visits early in the process, during pre-application or acceptance.	DI, LIC-FM-1 & 2	Ongoing	End of 2021
	27 (P1)	Hold early team meetings to align on the scope of the review and identify any unique review considerations.	DI, LIC-FM-1 & 2	Ongoing	End of 2021
NT-3	5	Allow for flexibility within the review metrics to improve efficiency in the review.	DI, LIC-FM-1 & 2	Ongoing	End of 2021
	10 (P2)	Evaluate the tracking of Requests for Additional Information (RAI) in Web-Based Licensing (WBL) and ensure they can be tracked to completion.	DI, LIC-FM-1	Ongoing	End of 2021
	17	Make sure WBL tracks Nuclear Energy Innovation and Modernization Act metrics.	DI, LIC-FM-1	Ongoing	End of 2021
	28	Allow PMs to improve the review efficiencies by allowing flexibility within the review metrics.	DI, LIC-FM-1 & 2	Ongoing	End of 2021

Tracking Implementation for the Smarter Licensing Recommendations- Continued

Completed	In Process	Projected

Recommendation		DESCRIPTION	Task	Status	Finish Date
NT-4	7 (P1)	Hold meetings with the licensee to support resolution of the RAI process. Make the guidance publicly available for RAIs.	DI, LIC-FM-1, 2, & 3	Ongoing	End of 2021
	8	Ensure the RAIs have a documented regulatory basis.	DI, LIC-FM-3	Ongoing	End of 2021
	9	9a - Develop and provide draft RAIs to the applicant and consider a call or site visit to discuss them. 9b - Also hold a call with the applicant to discuss their draft RAI responses.	DI, LIC-FM-2 & 3	Ongoing	End of 2021
	10 (P1)	10a - Allow staff's RAIs to be developed and issued in a staggered or phased manner on complex requests. 10b - Ensure the timeline for RAIS is considered in the metrics.	DI, LIC-FM-3	Ongoing	End of 2021
	11	Clarify that calls to discuss draft RAIs do not always need to be public meetings, if they are only for clarification.	DI, LIC-FM-3	Ongoing	End of 2021
	12	Ensure the draft safety evaluation report (SER) is developed and provided to the project manager (PM) along with the RAIs.	DI, LIC-FM-1 and LIC-FM-3	Ongoing	End of 2021
	13 (P1)	Have a transition plan for when reviewers leave and are replaced.	DI, LIC-FM-1 and LIC-FM-3	Ongoing	End of 2021
	22	Develop a way to electronically track RAIs such as a dashboard.	DI, LIC-FM-3	Ongoing	End of 2021

Tracking Implementation for the Smarter Licensing Recommendations- Continued

Completed	In Process	Projected

Recommendation		DESCRIPTION	Task	Status	Finish Date
MT-1	15	Allow for an adjustable review scope and schedule based on risk during the assignment and alignment meeting. Also, develop job-aids that describes how the assignment and alignment meting should identify scope and incorporates the risk tool.	LIC-FM-1, 2, & 3 job-aids, & training	Ongoing	End of 2021
	18	Ensure the assignment and alignment meeting has the appropriate scope and identifies the individual needed to support the review.	LIC-FM-1 & 2, job-aids, & training	Ongoing	End of 2021
	21	Update the guidance and training to ensure staff document the scope and focus of licensing reviews in the SERs.	LIC-FM-1 & 4, job-aids, & training	Ongoing	End of 2021
	25 (P1)	Facilitate inspector involvement early in the licensing review process.	LIC-FM-1,& 3, job-aids, & training	Ongoing	End of 2021
	27 (P2)	Provide appropriate training and job aids on the need to consider a holistic approach to gain early alignment on the expected scope of the review. Provide for the ability to modify the scope of the review, with management approval, if needed.	LIC-FM-1 & 2, job-aids, & training	Ongoing	End of 2021
	29	Ensure staff are appropriately trained on the procedures for reaching early alignment between the NRC staff and the applicant on the scope of the review.	LIC-FM-2, job-aids, & training	Ongoing	End of 2021
	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.	Creat a roadmap for licensing actions and templates	Future	2022
	31	RISK Tool - Consistent with #15, 29, 30, develop processes and technical job aids to support risk-informed reviews and decision making as resources are available.	LIC-FM-1 & 2, Expand the risk tool	Future	2023

Tracking Implementation for the Smarter Licensing Recommendations- Continued

Completed	In Process	Projected

Recommendation		DESCRIPTION	Task	Status	Finish Date
LT-1	13 (P2)	Develop formalized guidance on management turnover and keep briefing books up to date. (monitor what 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, job-aids, & training	Ongoing	To Be Determined
	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
	25 (P2)	Develop a central repository and common profiling of licensing basis documents as part of the road map described in LT-4-24.	Make roadmap easily accessible to staff	Future	To Be Determined
LT-5	26	Review lessons learned and self-assessments drawn from previous large-scope applications to proactively prepare for new types of applications (e.g., new technologies).	LIC-FM-1, Guidance for new types of facilities	Future	To Be Determined

Additional Acronyms:
Division Instruction (DI),
Standard Review Plan (SRP),
Inspector General (IG),
Near-Term (NT),
Mid-Term (MT),
Long-Term (LT)
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"