



Fuel Cycle Smarter Licensing Status Update

October 19, 2022

Background:

The U.S. Nuclear Regulatory Commission (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 – [ML22161B042](#), LIC-FM-3 – Requests for Additional Information (RAIs) – [ML22208A272](#), and LIC-FM-4 – Safety Evaluation Reports (SERs) – [ML22273A029](#). 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.

Objective:

Provide a status update on the staff's ongoing efforts to implement the Near-, Mid-, and Long-term smarter licensing recommendations.

Accomplishments:

1. The NRC staff has completed implementation of the Near- and Mid-term recommendations with the issuance and use of the new DIs. The Long-term recommendations will be processed over time as priorities and workload allow.
2. The NRC staff presented the status of the smarter licensing program at the October 19, 2022 Stakeholder meeting, see summary at [ML22362A043](#).
3. The NRC staff proposed finalizing the smarter licensing tracking. The Nuclear Energy Institute (NEI) and industry proposed continuing to track the smarter licensing effort for a period of time to monitor implementation of the recommendations through use of the DIs.

Next Steps:

- Continue to implementation the Near- and Mid-term recommendations through use of the new DIs.
- Implement the Long-term recommendations as workload and priorities allow.

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 includes 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	

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
<u>LT-1</u>	<u>13b</u>	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					Completed	December 2021
<u>LT-2</u>	<u>14</u>	Develop a process to capture and use lessons learned on major licensing actions in future reviews.	LIC-FM-1	2.24				Completed	Spring 2022
	<u>23</u>	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
<u>LT-3</u>	<u>20</u>	Develop a standard review plan for reviews of greater than critical mass licensees/applicants.	NUREG-2212					Completed	December 31, 2022
<u>LT-4</u>	<u>24</u>	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
	<u>25b</u>	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
<u>LT-5</u>	<u>26</u>	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"									