

POLICY ISSUE INFORMATION

July 23, 2008

SECY-08-0104

FOR: The Commissioners

THRU: E. Roy Hawkens
Chief Administrative Judge

FROM: Daniel J. Graser
Licensing Support Network Administrator

SUBJECT: LICENSING SUPPORT NETWORK PROGRAM ADMINISTRATION -
SEMIANNUAL REPORT

PURPOSE:

This is to inform the Commission, in accordance with 10 C.F.R. § 2.1011(c)(5), of the status of the Licensing Support Network (LSN) and the activities of the LSN Administrator (LSNA) for the six-month period ending June 30, 2008.

BACKGROUND:

The Commission's Staff Requirements Memorandum (SRM) dated January 31, 1992, directed the submission of a semiannual report on the activities of the LSNA (formerly the Licensing Support System (LSS) Administrator). The scope of this semiannual report includes LSN program activities from January 1, 2008, through June 30, 2008.

DISCUSSION:

I. Activities

A. Licensing Support Network Administrator (LSNA) and Staff

Patricia Hall, whose hiring was noted in the previous report and who had lead responsibility for quality assurance activities, accepted a position with the Office of Information Services. Due to budget constraints, her LSN position will remain unfilled until next year. Quality assurance responsibilities will be covered during the interim by the LSN Project Manager, Matt Schmit.

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B. Federal Advisory Committee Act (FACA)-Related Activities

Dr. Andrew Bates of the Office of the Secretary (SECY) continues to serve as the LSN Advisory Review Panel (LSNARP) Chair.

C. LSN Advisory Review Panel (LSNARP) Activities

No LSNARP meetings occurred during the reporting period.

D. LSN Administrator Guidelines

No new LSNA Guidelines were promulgated and no existing LSNA Guidelines were revised during the reporting period. The technical bases for LSN operations, including participant organization technologies, remain stable.

E. Interactions with Other NRC Offices and Entities

1. The Commission

The previous LSNA semiannual report (SECY-08-0011) was submitted to the Commission on January 25, 2008.

2. Office of Nuclear Material Safety and Safeguards (NMSS) and Office of Information Services (OIS)

Interactions on LSN matters with the Office of Nuclear Materials Safety and Safeguards (NMSS) and their OIS-based support organization dealt primarily with routine document collection maintenance issues. During the reporting period, the LSNA attended a number of meetings with the Department of Energy (DOE) that were conducted by NMSS staff to coordinate the technical specifications for the license application eventually submitted on June 3, 2008. These meetings helped ensure that the electronic versions of the application would be technically compatible with the LSN and NRC's ADAMS intake requirements.

The LSN staff worked with NMSS headquarters and CNWRA staff in response to their requests for advanced training in the use of the LSN.

LSN staff met with NMSS representatives on February 14, 2008, to provide information on the processing time needed for the NRC staff to add a large volume of e-mails to its LSN collection. NMSS has not indicated when that activity may commence; however, the LSN project team stands ready to begin processing these documents into the LSN as soon as we are advised they are available.

F. Interactions with the Department of Energy's (DOE) Office of Civilian Radioactive Waste Management on Its Efforts and Readiness to Meet LSN Commitments

DOE submitted a license application to NMSS for review on June 3, 2008. Reporting period interactions with DOE before and after the application was submitted consisted of routine

operations to add its newly generated materials and to process revisions to prior LSN bibliographic records.

G. Interactions with Other Participants in Conjunction with Their Efforts to be Ready to Meet LSN Commitments

All potential parties (other than DOE and NRC staff) were to have their document collections certified as complying with the requirements of 10 C.F.R. Part 2, Subpart J, by January 17, 2008. As of that date, sixteen (16) organizations had submitted certifications, and one organization – the State of California Energy Commission - was still “in process.” The two organizations that put up LSN websites for the first time in the period just prior to the deadline were the above mentioned California Energy Commission and the City of Caliente, Nevada.

Subsequently, LSN staff was in contact with the State of California Department of Justice and the Timbisha Shoshone tribal government. Both organizations have expressed an interest in participating in the Yucca Mountain licensing proceeding and are exploring LSN compliance requirements for their organizations. We will continue to work with those two organizations as requested.

With the exception of the Nevada Nuclear Waste Task Force, which has a long history of involvement with the LSN program, and the Nuclear Energy Institute representing the nuclear energy and technologies industry, LSN staff have had no requests for LSN compliance assistance from any other citizen, environmental, or public interest group.

H. LSN Project Plan Implementation

1. Ongoing Upgrades and Expansion to the LSN

There are no upgrades to, or expansions of, the LSN production system currently underway. AT&T Government Services, the LSN contractor team, is testing a new release of the LSN search and retrieval software, Autonomy™ version 7.0, at the LSN test and development laboratory at its offices in Tyson's Corner, Virginia. We currently are looking toward possible deployment sometime in the last half of CY 2008 when it will not disrupt activities in the adjudicatory proceeding. At the current rate of participant additions, we are confident that the LSN capacity to index materials should be adequate at least through the end of FY 2009.

2. Administration of the LSN

Project management performance by the LSN staff continues to achieve planned system milestones for user access, participant support, and document loading timeliness.

Entering this reporting period, the LSN was comprised of 15 participant organizations containing 3,620,856 documents. During the six-month reporting period an additional 36,853 documents were added. Two new participant organizations -- the City of Caliente and the State of California Energy Commission -- were added to the LSN in the two weeks prior to the deadline for participant certification of collections. One participant organization -- the City of Las Vegas, Nevada -- withdrew from participation, but its document collection has not been deleted from the LSN. In a February 20, 2008 order, the Pre-License Application Presiding Officer (PAPO)

Board accepted an agreement by DOE and the City of Las Vegas to have the City's LSN certification stricken, albeit without prejudice to the City's right to re-file a certification if it wishes to do so. The City's collection nonetheless remains on the LSN absent any direction by the PAPO Board or a request by the City of Las Vegas to remove its documents.

Potential additional parties that have expressed interest in establishing LSN document collections, but have not yet done so, include the State of California Department of Justice and the Timbisha Shoshone tribal government.

The following table presents cumulative performance metrics for the LSN during the reporting period:

Licensing Support Network System Performance Metrics for the Reporting Period						
	January	February	March	April	May	June
Number of Participants	17	17	17	17	17	17
Number of Documents	3,630,344	3,636,839	3,640,974	3,648,664	3,654,491	3,657,709
System Availability (Against Schedule)	100%	100%	100%	100%	100%	100%
Number of Days with Outage More than Four Hours	0	0	0	0	0	0

The following table presents the net document additions/deletions per month, by participant:

Licensing Support Network Documents Added/Deleted by Participant							
	Added January	Added February	Added March	Added April	Added May	Added June	Total Added 1/1/08 Through 6/30/08
City of Las Vegas	0	0	0	0	0	0	0
Churchill County	0	2	0	0	3	0	5
Clark County	25	0	0	0	0	0	25
Eureka County	6	0	0	0	0	0	6
Lander County	5	2	0	0	0	0	7
Lincoln County	0	0	0	0	0	0	0
Mineral County	0	19	0	0	0	0	19
Nye County	732	51	2	0	31	4	820
White Pine County	0	0	0	0	0	0	0
Esmeralda County	1	0	0	0	3	0	4

Licensing Support Network Documents Added/Deleted by Participant							
	Added January	Added February	Added March	Added April	Added May	Added June	Total Added 1/1/08 Through 6/30/08
Inyo County, California	1	0	0	0	0	0	1
State of Nevada	1,408	5	0	83	0	0	1,496
Department of Energy I	4,038	6,383	4,038	7,877	5,368	3,191	30,895
Department of Energy II	3,068	0	77	4	1	3	3,153
Nuclear Energy Institute	120	0	7	0	21	0	148
Nuclear Regulatory Commission	52	33	11	34	26	48	204
California Energy Commission	2	1	0	0	0	44	47
City of Caliente	23	0	0	0	0	0	23
Total	9,481	6,496	4,135	7,998	5,453	3,290	36,853

LSN training sessions conducted during the reporting period included:

- January 24, 2008 – Nevada counties of Clark, Esmeralda, and White Pine, City of Las Vegas, and Nuclear Energy Institute
- April 23, 2008 – Center for Nuclear Waste Regulatory Analysis (CNWRA) Staff
- April 24, 2008 – State of Nevada Staff and Counsel

The LSN Administrator and ASLBP Chief Counsel Anthony Eitreim made a joint presentation to an NMSS-hosted workshop for the High Level Waste (HLW) Affected Units of Local Government at the Las Vegas Hearing Facility on April 17, 2008. The session was entitled "Interactions with NRC in HLW Adjudicatory Process: Technical & Procedural Issues."

The LSNA met with representatives of the Timbisha Shoshone tribal government on May 15, 2008, as part of an outreach effort coordinated by NMSS. Information was provided about the technical aspects of establishing an LSN document collection and the technical assistance afforded by the LSN staff. No follow-up request for assistance or training by the Timbisha Shoshones had been received as of the end of this reporting period.

3. Security Profile of the LSN

No system downtime was experienced during the reporting period because of hacker attacks directed against the LSN.

II. Issues

Technology Refresh, Budget and Procurement Issues Affecting LSN Availability

The current hardware in the LSN production platform was purchased in 2004 and 2005. As noted in the previous semiannual report, budgeting for a comprehensive technology refresh effort for the LSN has been deferred from its original intended start date in FY 2008. Technology refresh budgets originally included for FY 2008 initially were deferred until FY 2009; however, the technology refresh budget request for FY 2009 was stricken in response to reductions in HLW funding in the agency's FY 2009 President's Budget. Subsequently, the funding for a technology refresh included in the FY 2010 budget plan has also been slashed. The continued unavailability of technology refresh funding places the ability of the LSN to operate without significant interruption at high risk starting in FY 2010.

To address the lack of refresh funding, the LSN management team has put in place a contract for extended warranty coverage for the LSN server configuration and has begun testing the most current version of the Autonomy™ search software, which is available at no cost under current licensing agreements, with an eye toward possible implementation before the end of CY 2008.

While the warranty coverage affords some measure of protection for the government's capital equipment investment, it provides for replacement in-kind only, and the prospect of finding replacement components for computers of the 2004-05 generation in the 2010 timeframe is uncertain at best. It should also be noted that this extended warranty coverage was not planned for in budget space, and has required considerable reallocation of existing LSN funding earmarked for other system activities.

Similarly, simply upgrading to the newest version of the search software will not address a number of fundamental LSN design features that current users have found to be cumbersome in light of the large size of the collection. These items would have been addressed in the context of a comprehensive refresh effort.

This poses a direct risk to the NRC schedule for conducting the hearings given that, as is the case with any of the major HLW metasystem technology components, which include E-Filing, the EHD, and the DDMS, anytime there is a loss of availability there is the real possibility that time will have to be added to the schedule for the proceeding, potentially on a day per day basis. See 10 C.F.R. § 2.1017 (EHD unavailability for more than four access hours of any day means day not counted in computing time for any HLW adjudicatory proceeding act).

III. Future LSN-Related Activities

The LSN contractor team will continue testing a new release of the LSN search and retrieval software, Autonomy™ version 7.0, in the test and development laboratory at AT&T Government Services offices in Tyson's Corner, Virginia. Upon successful completion of this assessment, a plan will be put in place to insert the new software engine in the operational environment without the loss of system availability. The software substitution is expected to occur during the last half of CY 2008.

LSN staff will begin developing a statement of work for an operations and maintenance contract to replace the current support contract that expires in mid-2009.

COORDINATION:

The Office of the General Counsel has no legal objection.

/RA/

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Atomic Safety and Licensing
Board Panel

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