

UNITED STATES
NUCLEAR REGULATORY COMMISSION
OFFICE OF NUCLEAR REACTOR REGULATION
WASHINGTON, D.C. 20555-0001

September 20, 2004

**NRC REGULATORY ISSUE SUMMARY 2004-14
FOCUSING RESOURCES IN THE OFFICE OF NUCLEAR REACTOR
REGULATION AS A RESULT OF REVIEW OF SECURITY PLAN
CHANGES**

ADDRESSEES

All holders of operating licenses for nuclear power reactors, except those who have permanently ceased operations and have certified that fuel has been permanently removed from the reactor vessel.

INTENT

The U.S. Nuclear Regulatory Commission (NRC) is issuing this regulatory issue summary (RIS) to inform addressees that the Office of Nuclear Reactor Regulation (NRR) is focusing resources on work that is most important to the mission of the NRC and is using some of its resources to process security plan changes. This RIS requires no action or written response on the part of an addressee.

BACKGROUND INFORMATION

On April 29, 2003, the NRC issued an order to all power reactor licensees requiring changes to their physical security plans, safeguards contingency plans, and security personnel training and qualification plans. The order required licensees to submit the revised plans by April 29, 2004, and to fully implement them by October 29, 2004.

The NRC staff established a Security Plan Review Team (SPRT) to facilitate the review and approval of the plan changes. The Office of Nuclear Security and Incident Response is leading this effort; however, NRR has also committed significant resources to the SPRT. The resource demands for the SPRT come at a time of significant workload, including ongoing extensive and complex licensing reviews across the industry, increased external stakeholder involvement in agency activities, oversight of plant issues, and additional unbudgeted work.

SUMMARY OF ISSUE

The NRC created the SPRT to provide focus on the agency performance goal of enhancing security at nuclear power plants. Due to the resource expenditure for this effort, NRR has created a process that directs its remaining resources to priority activities that support the performance goals of ensuring safety and security; promoting openness; making NRC decisions more effective, efficient, and realistic; and enhancing management effectiveness.

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The process identifies tasks that best accomplish these performance goals and focuses resources on them.

NRR suspended several noncritical internal functions including postponing updates to office instructions, ceasing licensing workshops and Licensing Action Task Force meetings, canceling noncritical internal meetings, and suspending some internal administrative processes. These suspensions and cancellations have minimal impact on licensees. However, suspending internal functions alone has not regained the full amount of resources that were dedicated to the SPRT.

Additionally, NRR has deferred some licensing actions. The affected licensing actions will be deferred until resources can be recovered from the SPRT after October 29, 2004. In deciding which licensing actions to defer, NRR considered the following criteria in descending order of significance:

- The completion of the action will not exceed the 2-year age goal.
- The action was of low safety significance.
- The action was of low priority for the licensee.
- The action was not related to an outage.
- The action was primarily based on reducing operational costs.
- The technical issues for the action required an extensive response from the licensee and were expected to result in long delays in processing the action.
- The project manager was the only technical reviewer for the action requested.

NRR implemented the license deferral process using the following steps: (1) the NRR staff proposed actions for deferral based on the above criteria. (2) The proposed licensing actions were discussed with NRR technical and project management staff to ensure that all aspects of the deferral were understood. (3) The proposed licensing actions were discussed with the affected licensees. If the licensing action had a clear safety impact or if the deferral was prevented the restart of a plant from an outage, then the licensing action was not be deferred. (4) The licensee received formal written notification of the deferral.

Finally, NRR's performance plan measures were changed to show that licensing actions were not going to be as timely in the remainder of Fiscal Year 2004 and possibly beyond. NRR's licensing action timeliness goal of 96% completed within 1 year was reduced to 90% for Fiscal Year 2004. The 2-year licensing action timeliness goal remained at 100%. NRR will evaluate the cascading impact for subsequent fiscal year performance goals following completion of the SPRT activities.

NRR may refocus resources in the future by using a similar deferral process. The staff will communicate with licensees about resource adjustments if the licensees are affected.

BACKFIT DISCUSSION

This RIS requests no action or written response and is, therefore, not a backfit under 10 CFR 50.109. Consequently, the staff did not perform a backfit analysis.

FEDERAL REGISTER NOTIFICATION

A notice of opportunity for public comment was not published in the *Federal Register* because this RIS is informational.

SMALL BUSINESS REGULATORY ENFORCEMENT FAIRNESS ACT OF 1996

The NRC has determined that this action is not subject to the Small Business Regulatory Enforcement Fairness Act of 1996.

PAPERWORK REDUCTION ACT STATEMENT

This RIS does not contain an information collection request and, therefore, is not subject to the requirements of the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 et seq.).

CONTACT

Please direct any questions about this matter to the technical contact listed below or to the appropriate NRR project manager.

/RA/

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Attachment: List of Recently Regulatory Issue Summaries

LIST OF RECENTLY ISSUED
NRC REGULATORY ISSUE SUMMARIES

Regulatory Issue Summary No.	Subject	Date of Issuance	Issued to
2004-13	Consideration of Sheltering in Licensee's Range of Protective Action Recommendations	08/02/2004	All holders of operating licenses for nuclear power reactors, except those who have permanently ceased operations and have certified that fuel has been permanently removed from the reactor vessel.
2004-12	Clarification on Use of Later Editions and Addenda to the ASME OM Code and Section XI	07/28/2004	All holders of operating licenses for nuclear power reactors except those who have permanently ceased operations and have certified that fuel has been permanently removed from the reactor vessel.
2003-18, Supplement 1	Use of Nuclear Energy INSTITUTE (NEI) 99-01, "Methodology for Development of Emergency Action Levels," Revision 4, Dated January 2003	07/13/2004	All holders of operating licenses for nuclear power reactors and licensees that have permanently ceased operations and have certified that fuel has been permanently removed from the reactor vessel.
2004-11	Supporting Information Associated with Requests For Withholding Proprietary Information	06/29/2004	All submitters of proprietary information to the Nuclear Regulatory Commission.
2004-10	Preparation And Scheduling of Operator Licensing Examinations	06/14/2004	All holders of operating licenses for nuclear power reactors, except those who have permanently ceased operations and have certified that fuel has been permanently removed from the reactor vessel.

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