

# **Supplement to Fuel Cycle Program Integrated Schedule**

## **Last Updated September 18, 2019**

This supplement provides a public version of the purpose, brief overview, and background documentation available for the regulatory activities being tracked on the Fuel Cycle Cumulative Effects of Regulation Integrated Schedule. Links to the background documents have been included where possible.

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## RULEMAKINGS

<b>Part 61 “Proposed Rule: Low-Level Radioactive Waste Disposal”</b>	
Key Contact:	Gary Comfort, 301-415-8106.
Purpose:	Rulemaking for a site-specific analysis or performance assessment for the disposal of depleted uranium and other long-lived isotopes in a near-surface disposal facility.
Key Information	<ul style="list-style-type: none"> <li>Proposed rule (80 FR 16082) and related guidance (80 FR 15930) were published in the <i>Federal Register</i> for public comment on March 26, 2015. The comment period originally ended on July 24, 2015. It was reopened (80 FR 51964) on August 27, 2015 and closed on September 21, 2015.</li> <li>The final rule package was submitted to the Commission on September 15, 2016.</li> <li>The Commission issued an SRM on September 8, 2017, directing the staff to issue a supplemental rule for comment.</li> </ul>
Related Documents	<ul style="list-style-type: none"> <li><a href="http://www.regulations.gov/#!docketDetail;D=NRC-2011-0012">http://www.regulations.gov/#!docketDetail;D=NRC-2011-0012</a>.</li> <li><a href="http://www.nrc.gov/about-nrc/regulatory/rulemaking/potential-rulemaking/potential-part61-revision.html">http://www.nrc.gov/about-nrc/regulatory/rulemaking/potential-rulemaking/potential-part61-revision.html</a>.</li> <li><a href="http://www.nrc.gov/about-nrc/regulatory/rulemaking/potential-rulemaking/uw-streams.html">http://www.nrc.gov/about-nrc/regulatory/rulemaking/potential-rulemaking/uw-streams.html</a>.</li> <li>Technical basis for proposed rule dated April 28, 2011 (<a href="#">ML111040419</a>).</li> <li>Preliminary proposed rule language dated May 2011 (<a href="#">ML111150205</a>).</li> <li>COMWDM-11-0002/COMGA-11-0002 - Revision to 10 CFR Part 61 dated November 3, 2011 (<a href="#">ML113070543</a>).</li> <li>SRM-COMWDM-11-0002/COMGEA-11-0002 - Revision to 10 CFR Part 61 dated January 19, 2012 (<a href="#">ML120190360</a>).</li> <li>Draft 10 CFR Part 61 proposed rule package (SECY-13-0075) dated July 18, 2013 (<a href="#">ML13128A160</a>).</li> <li>Staff requirements memorandum – SECY-13-0075 – proposed rule: Low-Level Radioactive Waste Disposal (10 CFR Part 61) (RIN 3150-A192) dated February 12, 2014 (<a href="#">ML14043A371</a>).</li> <li>Draft 10 CFR Part 61 final rule package (SECY-16-0106) dated September 15, 2016 (<a href="#">ML16188A290</a>).</li> <li>SRM to SECY-16-0106 (<a href="#">ML17251B147</a>) dated September 8, 2017.</li> <li>Transcript of Low-level Radioactive Waste Program Public Meeting (<a href="#">ML18088B087</a>) and presentation (<a href="#">ML18088B012</a>) dated March 23, 2018.</li> </ul>
Meeting Information	<ul style="list-style-type: none"> <li>February 2020 – 90-day comment period on supplemental proposed rule begins.</li> <li>March 2020 – Public meeting to support comment period on the supplemental proposed rulemaking. (Note: These dates are tentative. Additional public meetings will be conducted, as needed).</li> </ul>

<b>Part 73 “Part 73-Enhanced Security for SNM”</b>	
Key Contact:	Edward Lohr, 301-415-0253 and Kevin Ramsey, 301-415-7506.
Purpose:	Codify the post 9/11 security orders within <i>Title 10 of the Code of Federal Regulations</i> (10 CFR) Part 73 that govern the security for special nuclear material at fixed sites.
Key Information	<ul style="list-style-type: none"> <li>• Make generically applicable security requirements similar to those imposed by security orders issued following the terrorist attacks of September 11, 2001.</li> <li>• Improve consistency and clarity.</li> <li>• Use a risk-informed and performance-based structure.</li> <li>• In April 2016, the Commission directed the NRC staff to suspend efforts on the Enhanced Security of SNM rulemaking. In August 2018, the Commission directed the staff to resume rulemaking with the exclusive scope of codifying the post 9/11 security orders.</li> <li>• The NRC published the draft regulatory basis on March 1, 2019, for public comment with a closing date of April 19, 2019.</li> <li>• Twelve comments were received from the public on the draft regulatory basis.</li> <li>• Staff is reconsidering the need for additional requirements and will be providing options and recommendations to the Commission in fiscal year 2019.</li> </ul>
Related Documents	<ul style="list-style-type: none"> <li>• "Security-Related Rulemaking to Update 10 CFR Parts 73 and 26" <a href="http://www.nrc.gov/security/domestic/phys-protect/reg-initiatives/10cfr73.html">http://www.nrc.gov/security/domestic/phys-protect/reg-initiatives/10cfr73.html</a>.</li> <li>• SRM-SECY-09-0123 – "Material Categorization and Future Fuel Cycle Facility Security-Related Rulemaking," dated July 8, 2010 (<a href="#">ML101890711</a>).</li> <li>• SRM-COMSECY-05-0058 – "Schedule and Resources for Security Rulemakings," dated November 16, 2005.</li> <li>• Part 73: Final Regulatory Basis (<a href="#">ML14321A007</a>). The notice was published on April 22, 2015.</li> <li>• Scope reduced to codifying post-9/11 security orders. See SRM-COMKLS-18-003.</li> <li>• Drafted Revised Regulatory Basis was published in the <i>Federal Register</i> (84 FR 6980) on March 1, 2019 for public comment. Comment period closed April 19, 2019.</li> </ul>
Meeting Information	<ul style="list-style-type: none"> <li>• None scheduled.</li> </ul>

<b>Enhanced Weapons, Firearms Background Checks, and Security Event Notifications Rulemaking</b>	
Key Contact:	Robert Beall, 301-415-3874 and Kevin Ramsey, 301-415-7506.
Purpose:	This rulemaking will: (1) implement NRC's authority under the new section 161A of the Atomic Energy Act of 1954 (AEA), as amended, for access to enhanced weapons and associated firearms background checks; (2) modify physical security event notifications; add requirements for reporting suspicious activities at power reactor facilities, reactor Independent Spent Fuel Storage Installations, and Category I strategic special nuclear materials facilities.
Key Information	<ul style="list-style-type: none"> <li>• These proposed regulations are consistent with the provisions of the Firearms Guidelines the NRC published under section 161A with the approval of the U.S. Attorney General on June 25, 2014 (79 FR 36100).</li> <li>• The final rule was sent to the Commission in May 2018.</li> <li>• On May 30, 2019, the staff conducted a public meeting to discuss the proposed draft final rule text with the public and stakeholders. (<a href="#">ML19140A097</a>)</li> <li>• The staff anticipates submitting supplemental Commission paper to the Commission by the end of Fall 2019.</li> </ul>
Related Documents	<ul style="list-style-type: none"> <li>• Proposed rule in the Federal Register (71 FR 62664), to implement the Firearms Guidelines as part of the larger proposed power reactor security rule.</li> <li>• SRM-SECY-10-0085, "Proposed Rule: Enhanced Weapons, Firearms Background Checks and Security Event Notifications (RIN: 3150-AI49)," dated October 19, 2010 (<a href="#">ML102920342</a>).</li> <li>• The NRC published the proposed enhanced weapons rule in the Federal Register (76 FR 6200) for public comment on February 3, 2011.</li> <li>• The NRC published the first supplemental proposed rule (78 FR 2214) to add at reactor independent spent fuel storage installation facilities as a class of designated facilities under Title 10 of the Code of Federal Regulations (10 CFR) 73.18(c), that would be eligible to apply for Section 161A authority.</li> <li>• SRM SECY-12-0125, dated November 21, 2012 (ML12326A653), the Commission directed the NRC staff to revise the Firearms Guidelines accordingly and to publish a supplemental proposed enhanced weapons rule for public comment.</li> <li>• On June 25, 2014, the NRC published the revised Firearms Guidelines in the Federal Register (79 FR 36100).</li> <li>• On September 22, 2015, the NRC published a second supplemental proposed rule (80 FR 57106), to conform the rulemaking with the 2014 Firearms Guidelines, which is in accordance with the Commission's direction in SRM-SECY-12-0125.</li> <li>• On May 22, 2018, the draft final rule, Federal Register Notice, Environmental Assessment, and a history of the rulemaking were sent to the Commission (ML16264A000)</li> <li>• On August 22, 2018, NEI (Bill Pitesa) provided thoughts on the rulemaking.</li> </ul>
Meeting Information	<ul style="list-style-type: none"> <li>• None scheduled.</li> </ul>

<b>Part 73 “Cyber Security”</b>	
Key Contact:	Gary Comfort, 301-415-8106 and James Downs, 301-415-7744
Purpose:	The Commission directed the U.S. Nuclear Regulatory Commission (NRC) staff to proceed with a proposed rulemaking to implement cyber security into Part 73 for certain fuel cycle facilities. The Commission directed the rulemaking to be a high priority, expedited rulemaking that uses a graded, consequence based regulatory approach and is informed by industry’s voluntary efforts.
Key Information	<ul style="list-style-type: none"> <li>• The NRC staff published SECY-14-0147, “Cyber Security for Fuel Cycle Facilities,” in December 2014, which proposed three options to implement cyber security. These options included orders, rulemaking, or continuation of voluntary initiatives.</li> <li>• The Commission provided SRM-SECY-14-0147, “Staff Requirements – SECY-14-0147 – Cyber Security for Fuel Cycle Facilities” in March 2015, which directed the NRC staff to proceed with rulemaking.</li> <li>• The NRC published the Regulatory Basis and Comment Resolution document for the cyber security proposed rulemaking on March 3, 2016 (<a href="#">ML15355A461</a>).</li> <li>• The NRC staff provided draft proposed rule language (<a href="#">ML16131A115</a>) for discussion at a public meeting on May 19, 2016.</li> <li>• The NRC staff provided Revised Preliminary Draft Proposed Rule Language and Related Draft Regulatory Guide (<a href="#">ML16221A078</a>) for discussion at a public meeting on August 25, 2016.</li> <li>• The NRC developed updated versions of the Revised Preliminary Draft Proposed Rule Language and Related Draft Regulatory Guide (<a href="#">ML16273A130</a>) to address stakeholder comments. These updates were made publicly available to support a presentation to the Advisory Committee on Reactor Safeguards (ACRS) sub-committee on November 2, 2016.</li> <li>• An update to the Draft Regulatory Guide (<a href="#">ML17031A018</a>) was made publicly available to support a presentation to the ACRS sub-committee on February 23, 2017.</li> <li>• The draft proposed rule package due date to the Commission was extended to September 30, 2017. This is to accommodate the Committee to Review Generic Requirements (CRGR) review.</li> <li>• The staff briefed the full ACRS committee on June 8, 2017 on the draft proposed rule package (<a href="#">ML17145A325</a>).</li> <li>• The Cyber Security Rulemaking Working Group briefed the Committee to Review Generic Requirements (CRGR) on June 27 and July 12, 2017. The CRGR endorsed the Proposed Rule and Draft Regulatory Guide with comments via letter dated August 2, 2017 (<a href="#">ML17200A101</a>).</li> <li>• The proposed rule package was provided to the Office of the Executive Director for Operations (OEDO) on September 7, 2017.</li> <li>• The proposed rule package was submitted to the Commission on October 4, 2017, as SECY-17-0099 (<a href="#">ML17018A218</a>). The proposed rule package consists of the Commission paper, Federal Register notice (FRN), Draft Regulatory Analysis, Draft Backfit Analysis, and Draft Environmental Assessment.</li> <li>• The staff is awaiting Commission direction.</li> </ul>

<p>Related Documents</p>	<ul style="list-style-type: none"> <li>• June 2012 – SECY-12-0088, “Cyber Security Roadmap” (<a href="#">ML12135A050</a>).</li> <li>• December 2014 – SECY-14-0147, “Cyber Security for Fuel Cycle Facilities” (Non-public).</li> <li>• March 2015 – SRM-SECY-14-0147, “Staff Requirements – SECY-14-0147 – Cyber Security for Fuel Cycle Facilities” (<a href="#">ML15083A175</a>).</li> <li>• Commissioner Baran's Vote on SECY-14-0147 – Cyber Security for Fuel Cycle Facilities (<a href="#">ML15118A921</a>).</li> <li>• Commissioner Ostendorff's Vote on SECY-14-0147 – Cyber Security for Fuel Cycle Facilities (<a href="#">ML15132A632</a>).</li> <li>• August 27, 2015 – “Draft Regulatory Basis - Cyber Security at Fuel Cycle Facilities” (<a href="#">ML15198A019</a>).</li> <li>• September 4, 2015 – “<i>Federal Register</i> Notice for Draft Regulatory Basis for Cyber Security at Fuel Cycle Facilities [Package]” (<a href="#">ML15198A024</a>).</li> <li>• “Documents to Support December 10, 2015, Public Meeting on Cyber Security for Fuel Cycle Facilities [Package]” (<a href="#">ML15344A296</a>).</li> <li>• February 18, 2016, “Summary of Public Meeting to Discuss Fuel Cycle Cyber Security Proposed Rule Concepts” (<a href="#">ML16054A160</a>).</li> <li>• March 17, 2016, “Public Meeting Summary Regarding [Concepts for the] Proposed Cyber Security Rulemaking at Fuel Cycle Facilities” (<a href="#">ML16092A124</a>).</li> <li>• Draft proposed rule text to support the May 19, 2016, public meeting (<a href="#">ML16131A115</a>).</li> <li>• Revised Preliminary Draft Proposed Rule Language and Related Draft Regulatory Guide (<a href="#">ML16221A078</a>) to support the August 25, 2016 Public Meeting.</li> <li>• Updated Preliminary Draft Proposed Rule Language and Related Draft Regulatory Guide (<a href="#">ML16273A130</a>) to support the November 2, 2016, (ACRS) sub-committee briefing.</li> <li>• Updated Draft Regulatory Guide (<a href="#">ML17031A018</a>) to support February 23, 2017, ACRS sub-committee briefing.</li> <li>• The NRC staff prepared a draft regulatory guide, “Cyber Security Programs for Nuclear Fuel Cycle Facilities,” (DG-5062) (<a href="#">ML17145A340</a>).</li> <li>• SECY-17-0099, submitted October 4, 2017, contains the Commission paper, Federal Register notice (FRN), Draft Regulatory Analysis, Draft Backfit Analysis, and Draft Environmental Assessment (<a href="#">ML17018A218</a>).</li> </ul>
<p>Meeting Information</p>	<ul style="list-style-type: none"> <li>• December 2019 – 90-day comment period on proposed rulemaking begins.</li> <li>• January 2020 – Public meetings to support comment period on the proposed rulemaking.</li> </ul> <p>(Note: These dates are tentative. Additional public meetings will be conducted, as needed).</p>

## NON-RULEMAKINGS

<b>ANS 57.11 “Integrated Safety Assessment Standard”</b>	
Key Contact:	April Smith, 301-415-6547.
Purpose:	American Nuclear Society (ANS) is developing an integrated safety assessment (ISA) standard that would provide clear guidelines for licensees to perform an ISA and improve the ability to identify those elements which serve as leading indicators of ISA quality.
Key Information	<ul style="list-style-type: none"> <li>• The Nonreactor Nuclear Facilities Consensus Committee voted 9-4 in favor of approving the standard.</li> <li>• The working group is resolving comments from the subcommittee and expect to have comment resolution to subcommittee in January 2020.</li> <li>• The timeline for ANS is controlled by ANS consensus standards process.</li> </ul>
Related Documents	<ul style="list-style-type: none"> <li>• <a href="http://www2.ans.org/standards/committees/nfsc/calendar/files/ans-57-11pins(2)-fornfscapproval.doc">www2.ans.org (search ANS 57.11)</a> (<a href="http://www2.ans.org/standards/committees/nfsc/calendar/files/ans-57-11pins(2)-fornfscapproval.doc">http://www2.ans.org/standards/committees/nfsc/calendar/files/ans-57-11pins(2)-fornfscapproval.doc</a>).</li> </ul>
Meeting Information	<ul style="list-style-type: none"> <li>• None scheduled.</li> </ul>

<b>Regulatory Information Conference</b>	
Key Contact:	TBD
Purpose:	The Regulatory Information Conference (RIC) is a forum that promotes open dialogue to learn valuable information about NRC activities related to the regulation of nuclear power plants, other nuclear facilities, and nuclear safety research. In addition, the RIC offers an environment to interact with nuclear industry leaders and share ideas, perspectives, and experiences on matters related to nuclear safety and regulation.
Key Information	<ul style="list-style-type: none"> <li>• The staff hosted five sessions during March 2019 RIC. The sessions descriptions can be found at the link below.</li> <li>• The RIC is held annually.</li> </ul>
Related Documents	<ul style="list-style-type: none"> <li>• Link to the NRC public website on the RIC: <a href="https://www.nrc.gov/public-involve/conference-symposia/ric/">https://www.nrc.gov/public-involve/conference-symposia/ric/</a>.</li> </ul>
Meeting Information	<ul style="list-style-type: none"> <li>• The next RIC will be held March 10-12, 2020.</li> </ul>

<b>Development of a Smarter Fuel Cycle Licensing Program</b>	
Key Contact:	Donnie Harrison, 301-415-2470.
Purpose:	Improve the effectiveness and efficiency of the fuel licensing program to be consistent with the NMSS Office Director memorandum and other agency improvement activities (e.g., Risk-informed 2 Decision-Making (RIDM)).
Key Information	<ul style="list-style-type: none"> <li>On March 13, 2019, the staff introduced the initiative at the NRC Regulatory Information Conference.</li> <li>The staff created a working group to lead and execute this effort.</li> <li>On April 2, 2019, the staff held a public meeting to discuss the working group draft charter which contained the working group's purpose, proposed tasks, and proposed completion schedule.</li> <li>On April 26, 2019, the final working group charter was approved.</li> <li>On May 21, 2019, the staff held a public meeting in a form of interactive workshop for stakeholders to provide areas for potential improvement for the fuel cycle licensing program.</li> <li>On August 8, 2019, the staff held a second public meeting in the form of interactive workshop for stakeholders to provide more areas for potential improvement for the fuel cycle licensing program and to provide the initial feedback and status from the NRC on the previously provided stakeholder inputs. The meeting showed fairly well alignment, with some clarifications in prior inputs.</li> <li>In response to the August 8, 2019, public meeting, the staff initiated an activity to develop a RAI process business-line instruction. This instruction, which is currently under development, leverages similar instructions developed in the spent fuel and reactor arenas. This instruction is expected to be made publicly available when it completes internal review.</li> <li>This project is estimated to be completed by end of calendar year 2019.</li> </ul>
Related Documents	<ul style="list-style-type: none"> <li>Nuclear Energy Institute letter dated April 12, 2019 (ML19114A288).</li> <li>URENCO USA letter dated April 24, 2019 (ML19115A349).</li> <li>Charter for a smarter licensing program working group (ML19115A011).</li> <li>NRC public meeting presentation dated August 8, 2019 (ML19199A479).</li> <li>Meeting summary for August 8, 2019, public meeting (ML19227A158).</li> </ul>
Meeting Information	<ul style="list-style-type: none"> <li>Next public meeting is scheduled for October 2019.</li> </ul> <p>(Note: These dates are tentative. Additional public meetings will be conducted, as needed).</p>

<b>A Smarter Fuel Cycle Inspection Program</b>	
Key Contact:	Jonathan Marciano, 301-415-6731.
Purpose:	Improve the effectiveness and efficiency of the fuel licensing program to be consistent with the NMSS Office Director memorandum and other agency improvement activities (e.g., Risk-informed 2 Decision-Making (RIDM)).
Key Information	<ul style="list-style-type: none"> <li>On March 13, 2019, the staff introduced the initiative at the NRC Regulatory Information Conference.</li> <li>The staff created a working group to lead and execute this effort.</li> <li>On April 26, 2019, the final working group charter was approved.</li> <li>This project is estimated to be completed by end of calendar year 2019.</li> </ul>
Related Documents	<ul style="list-style-type: none"> <li>Nuclear Energy Institute letter dated April 12, 2019 (ML19114A288).</li> <li>URENCO USA letter dated April 24, 2019 (ML19115A349).</li> <li>Charter for a smarter inspection program working group (ML19074A139).</li> <li>Meeting summary for May 21, 2019 public meeting (ML19163A267)</li> <li>Presentation materials from the June 27, 2019, public meeting where NEI presented recommendations (ML19176A534).</li> <li>Presentation materials from the August 8, 2019, public meeting to discuss a range of recommendations (ML19199A476 and ML19214A262).</li> <li>Meeting summary for August 8, 2019, public meeting (ML19227A158).</li> <li>Presentation materials from the September 12, 2019, public meeting (ML19254A588).</li> </ul>
Meeting Information	<ul style="list-style-type: none"> <li>Next public meeting is scheduled for October 2019.</li> </ul> <p>(Note: These dates are tentative. Additional public meetings will be conducted, as needed).</p>