

UNITED STATES
NUCLEAR REGULATORY COMMISSION
OFFICE OF NUCLEAR REACTOR REGULATION
OFFICE OF NUCLEAR MATERIAL SAFETY AND SAFEGUARDS
OFFICE OF NEW REACTORS
OFFICE OF FEDERAL AND STATE MATERIALS
AND ENVIRONMENTAL MANAGEMENT PROGRAMS
WASHINGTON, DC 20555-0001

October 9, 2013

**NRC REGULATORY ISSUE SUMMARY 2013-16, SUPPLEMENT 1
INTERACTIONS BETWEEN THE NRC AND NRC STAKEHOLDERS
DURING A LAPSE OF AGENCY APPROPRIATIONS**

ADDRESSEES

All U.S. Nuclear Regulatory Commission (NRC) licensees, certificate holders, permit holders, and applicants; all Agreement and Non-Agreement States, and State Liaison Officers; and other interested stakeholders.

INTENT

The NRC is issuing this regulatory issue summary (RIS) to supplement previously issued information in RIS 2013-16, "Interactions Between the NRC and NRC Stakeholders During a Lapse of Agency Appropriations." The NRC is notifying addressees that NRC appropriations no longer support normal operations and the NRC will be operating at a reduced level. This RIS requires no action or written response on the part of an addressee.

BACKGROUND INFORMATION

In RIS 2013-16, the NRC informed addressees about how to communicate and interact with the NRC during the Federal Government shutdown. The NRC also advised addressees to share the information in the RIS with its employees and contractors so they understand that the NRC is still able to receive safety and security concerns or incidents involving fraud, waste, or abuse by an NRC employee or contractor by calling the hotlines identified on NRC Form 3.¹

In RIS 2013-16, the NRC stated that when NRC appropriations no longer support normal operations, the NRC will operate at a reduced level in a minimal maintenance and monitoring mode. The NRC will continue to carry out its responsibility to protect the health and safety of the public. RIS 2013-16 listed the NRC functions that will be provided during the entire length of the Federal Government shutdown. The RIS also provided NRC contact information for addressees with urgent business. This contact information is repeated below. Irrespective of the NRC's operating status, licensees must comply with all applicable requirements and license conditions.

¹ http://www.nrc.gov/reading-rm/doc-collections/forms/form3_us.pdf

SUMMARY OF ISSUES

On October 1, 2013, the Federal Government shut down and many civilian Federal employees were furloughed.² The NRC continued normal operations and initiated efforts for reduced levels of operations. As of October 9, 2013, no new appropriation or continuing resolution had been passed to allow NRC to continue normal operations.

Since NRC appropriations no longer support normal operations, the NRC has entered into a reduced operating level status and for some period of time will only perform minimal maintenance and monitoring necessary to carry out the NRC's responsibility to protect the health and safety of the public. As stated in RIS 2013-16, a small core of employees (including the resident inspectors and Headquarters Operations Officers) will remain on duty to monitor licensee activities and carry on the minimum activities necessary to protect the health and safety of the public and provide essential services.

During the minimal maintenance and monitoring mode, addressees with urgent business with the NRC can contact the NRC at 301-415-1700 where an NRC staff member will direct your call to the appropriate NRC employee who is on duty and can assist you. Licensees should continue to make all required notifications to the NRC through the Headquarters Operations Center at 301-816-5100. Addressees can find additional information concerning the Federal Government furlough at <http://www.opm.gov/policy-data-oversight/pay-leave/furlough-guidance>.

BACKFIT AND ISSUE FINALITY DISCUSSION

The staff is not imposing on licensees any new or changed positions or regulatory requirements that constitute backfitting, as defined in Title 10 of the *Code of Federal Regulations* (10 CFR) 50.109(a)(1), or a violation of any of the issue finality provisions in 10 CFR Part 52, nor is it proposing new or changed guidance that should be regarded as backfitting under Commission and Executive Director for Operations guidance. No action is required on the part of any licensee. Consequently, the staff did not perform a backfit analysis or otherwise prepare any documentation addressing issue finality criteria.

FEDERAL REGISTER NOTIFICATION

The NRC did not publish a notice of opportunity for public comment on this RIS in the *Federal Register* because it pertains to an administrative aspect of the regulatory process.

CONGRESSIONAL REVIEW ACT

This RIS is not a rule as defined in the Congressional Review Act (5 U.S.C. §§ 801–808).

² A furlough is the placement of an employee in a temporary nonduty, nonpay status because of lack of work or funds, or other nondisciplinary reasons.

PAPERWORK REDUCTION ACT STATEMENT

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

PUBLIC PROTECTION NOTIFICATION

The NRC may not conduct or sponsor, and a person is not required to respond to, a request for information or an information collection requirement unless the requesting document displays a currently valid Office of Management and Budget control number.

CONTACTS

Please direct any questions about this matter to one of the technical contacts listed below.

/RA/

Mark D. Lombard, Director
Division of Spent Fuel
Storage and Transportation
Office of Nuclear Material Safety
and Safeguards

/RA/ Sher Bahadur for

Lawrence E. Kokajko, Director
Division of Policy and Rulemaking
Office of Nuclear Reactor Regulation

/RA/ Andrea Valentin for

Michael C. Cheok, Acting Director
Division of Construction Inspection
and Operational Programs
Office of New Reactors

/RA/ James Andersen for

Marissa G. Bailey, Director
Division of Fuel Cycle Safety
and Safeguards
Office of Nuclear Material Safety
and Safeguards

/RA/

Pamela J. Henderson, Acting Director
Division of Materials Safety and State
Agreements
Office of Federal and State Materials and
Environmental Management Programs

Technical Contacts—Office of Nuclear Reactor Regulation:

Thomas Alexion, NRR
301-415-1326
E-mail: thomas.alexion@nrc.gov

Tanya Mensah, NRR
301-415-3610
E-mail: tanya.mensah@nrc.gov

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E-mail: thomas.alexion@nrc.gov

Tanya Mensah, NRR
301-415-3610
E-mail: tanya.mensah@nrc.gov

Adams Accession No. **ML13273A190**

*via e-mail

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OFFICE	NRR/DPR/PM	Tech Editor*	FSME/DMSSA/ D(A)	NMSS/DSFST/D*	NMSS/DFCSS/D*	NSIR/D*	NRO/DCIP/ (A)D*
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