

March 8, 2012

MEMORANDUM TO: Eric J. Leeds, Director  
Office of Nuclear Reactor Regulation

And

Those on the Enclosed List

FROM: Michele G. Evans, Director /RA/  
Division of Operating Reactor Licensing  
Office of Nuclear Reactor Regulation

SUBJECT: ISSUANCE OF WHITE PAPER ENTITLED, "NRC AND LICENSEE  
ACTIONS IN RESPONSE TO NEW INFORMATION FROM A THIRD  
PARTY"

Enclosed is a white paper entitled, "NRC and Licensee Actions in Response to New Information from a Third Party." It is a compilation of existing guidance that describes how the U.S. Nuclear Regulatory Commission (NRC) and licensees are expected to respond to information from a third party, such as the U.S. Geological Survey. The purpose of the white paper is to clarify the staff's understanding of the issue and to provide a convenient reference for NRC staff.

The NRC has some requirements and guidance relevant to licensee consideration of new information developed by a third party that could affect the plant. Nevertheless, the NRC has no explicit requirement for licensees to address information developed by a third party. This paper describes how licensees consider third-party information under existing, applicable regulations or guidance. The paper also describes potential actions that the NRC could take to ensure licensee consideration of new third-party information. Information that does not impact safe plan operations may not be covered by any process. Therefore, licensees are unlikely to be overwhelmed by consideration of third party information in accordance with existing regulatory processes.

The NRR Division of Operating Reactor Licensing (DORL) plans to update Office Instruction LIC-100, "Control of Licensing Bases for Operating Reactors," to provide general guidance from and reference to this white paper. DORL also plans to post the white paper on its SharePoint and internal Internet sites. The NRR Mechanical and Civil Engineering and Generic Communication and Power Uprate Branches are developing an information notice related to this issue. DORL proposed, and NRR approved, a technical session entitled, "The Applicability and

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E. Leeds

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Use of Third-Party Information for Operating Reactors,” for the 2012 NRC Regulatory Information Conference. Furthermore, the Division of Inspection and Regional Support is leading the effort to develop an event tree describing the expected actions related to new information, third-party or otherwise.

All of the Office of Nuclear Reactor Regulation (NRR) technical divisions and regional offices received the draft white paper for comment. The Office of the General Counsel has also reviewed the paper. If you have any questions, please contact Lauren Gibson at 301-415-1056 or by electronic mail at [Lauren.Gibson@nrc.gov](mailto:Lauren.Gibson@nrc.gov).

Enclosure:

As stated

MEMORANDUM TO THOSE ON THE ENCLOSED LIST DATED:

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\*by e-mail dated

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