

GAO Highlights

Highlights of [GAO-17-344](#), a report to congressional requesters

Why GAO Did This Study

NRC issues RAIs to obtain information in licensing requests to ensure that officials can make a fully informed, technically correct, and legally defensible regulatory decision. RAIs are necessary when the information was not included in an applicant's initial submission, is not contained in any other docketed correspondence, or cannot reasonably be inferred from the information available to agency staff. NRC's use of RAIs has come under scrutiny in the past. For example, NRC's Inspector General, in a 2015 report, cited concerns about RAIs, including the amount of time it took to complete the RAI process and the resources required to do so.

GAO was asked to review how NRC uses RAIs. This report examines (1) NRC's guidance for developing and issuing RAIs and how it differs across offices; (2) how many RAIs NRC has issued over the past 5 years and the kinds of activities that elicit RAIs; and (3) strengths and weaknesses of NRC's processes to develop RAIs identified by NRC and licensees and the actions NRC is taking to address concerns. GAO examined agency guidance documents and selected licensing actions containing RAIs. GAO interviewed NRC officials and selected licensees. GAO randomly selected licensing actions and licensees from a sample of recent licensing actions that included cases from each of NRC's RAI-issuing offices.

What GAO Recommends

GAO is not making any recommendations. NRC generally agreed with GAO's findings.

View [GAO-17-344](#). For more information, contact Frank Rusco at (202) 512-3841 or ruscof@gao.gov.

April 2017

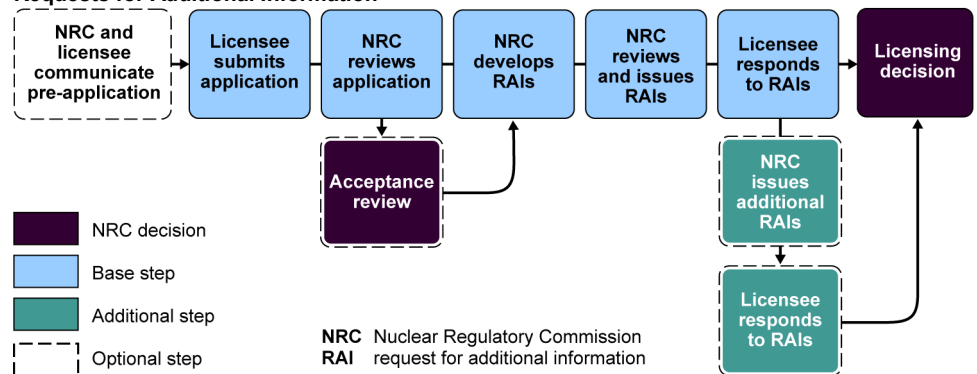
NUCLEAR REGULATORY COMMISSION

Efforts Intended to Improve Procedures for Requesting Additional Information for Licensing Actions Are Under Way

What GAO Found

At the Nuclear Regulatory Commission (NRC), individual offices that issue requests for additional information (RAI) each have their own guidance that is generally the same across the offices. NRC offices have some efforts underway to update their guidance. These efforts are intended to improve oversight of RAIs and include an increased focus on oversight of RAIs and on staff compliance through managerial review. For example, one of the offices that issues RAIs calls for management to discuss the need to send a licensee additional questions on the same topic before doing so.

Summary of Process Used by Nuclear Regulatory Commission Offices to Develop and Issue Requests for Additional Information



Source: GAO analysis of Nuclear Regulatory Commission information. | GAO-17-344

NRC offices that issue RAIs do not specifically track the number of RAIs that they have issued and do not have a comprehensive accounting for the last 5 years, although one office has a system capable of tracking the number of RAIs. Information from NRC officials and licensees GAO interviewed suggests that certain activities and circumstances often elicit RAIs. There is no legal requirement for the agency to track the number of RAIs; however, offices are updating their internal tracking systems in order to improve information on their licensing activities. Receiving RAIs is not unusual, particularly for certain activities such as complex licensing actions and activities for which regulations are unclear, according to officials. In such cases, increased coordination between NRC and the licensee may be required to resolve certain issues.

Licensees GAO interviewed were generally satisfied with the RAI process, identifying strengths and two common weaknesses, and NRC has made recent efforts intended to address these weaknesses. Some licensees noted that they see RAIs as a natural part of interacting with a regulator and identified NRC's openness to communication and engagement as a strength of the RAI process. Two common weaknesses that licensees cited are a gap between NRC's expectations and licensees' understanding of what to include in their applications, and staff departure from guidance. NRC offices have made recent efforts to address these issues. For example, to address inconsistencies between NRC's expectations and licensees' understanding, NRC offices are emphasizing greater communication between review staff and licensees.