

## Nuclear Regulatory Commission

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aimed at contractors desiring to do business with NRC;

(c) Maintains liaison with other Government agencies and trade associations;

(d) Coordinates efforts with the Director, Division of Contracts, and Directors of other affected offices;

(e) Develops and recommends for approval by the Executive Director for Operations, NRC policy providing for equal employment opportunity in all aspects of Federal personnel practice;

(f) Develops, monitors, and evaluates the agency's equal employment opportunity efforts and affirmative action programs to ensure compliance with NRC policy;

(g) Serves as the principal contact with local and national public and private organizations to facilitate the NRC equal opportunity program; and

(h) Coordinates all efforts pertaining to small and disadvantaged business utilization and equal employment opportunity with Office Directors and Regional Administrators.

[52 FR 31602, Aug. 21, 1987, as amended at 59 FR 63882, Dec. 12, 1994]

### § 1.38 [Reserved]

### § 1.39 Office of the Chief Human Capital Officer.

The Office of the Chief Human Capital Officer—

(a) Plans and implements NRC policies, programs, and services to provide for the effective organization, utilization, and development of the agency's human resources;

(b) Provides labor relations and personnel policy guidance and supporting services to NRC managers and employees;

(c) Provides training, benefits administration, and counseling services for NRC employees;

(d) Collects, analyzes, and provides data on the characteristics, allocation, utilization, and retention of NRC's workforce;

(e) Provides staffing advice and services to NRC managers and employees; and

(f) Provides executive resources management and organizational and mana-

gerial development services to the NRC.

[52 FR 31602, Aug. 21, 1987, as amended at 63 FR 15742, Apr. 1, 1998; 78 FR 34247, June 7, 2013]

### §§ 1.40–1.41 [Reserved]

#### PROGRAM OFFICES

### § 1.42 Office of Nuclear Material Safety and Safeguards.

(a) The Office of Nuclear Material Safety and Safeguards (NMSS) is responsible for regulating activities that provide for the safe and secure production of nuclear fuel used in commercial nuclear reactors; the safe storage, transportation, and disposal of low-level and high-level radioactive waste and spent nuclear fuel; the transportation of radioactive materials regulated under the Atomic Energy Act of 1954, as amended (the Act); and all other medical, industrial, academic, and commercial uses of radioactive isotopes. The NMSS ensures safety and security by implementing a regulatory program involving activities including licensing, inspection, assessment of environmental impacts for all nuclear material facilities and activities, assessment of licensee performance, events analysis, enforcement, and identification and resolution of generic issues. The NMSS is also responsible for developing all new regulations and amending existing regulations for all nuclear material facilities and activities regulated by NMSS.

(b) The Office of Nuclear Material Safety and Safeguards—

(1) Develops and implements NRC policy for the regulation of: Uranium recovery, conversion, and enrichment; fuel fabrication and development; transportation of nuclear materials, including certification of transport containers and reactor spent fuel storage; safe management and disposal of spent fuel and low-level and high-level radioactive waste; and medical, industrial, academic, and commercial uses of radioactive isotopes;

(2) Has lead responsibility within NRC for domestic and international safeguards policy and regulation for fuel cycle facilities, including material control and accountability;

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(3) Plans and directs NRC's program of cooperation and liaison with States, local governments, interstate and Indian Tribe organizations; and coordinates liaison with other Federal agencies;

(4) Participates in formulation of policies involving NRC/State cooperation and liaison;

(5) Develops and directs administrative and contractual programs for coordinating and integrating Federal and State regulatory activities;

(6) Maintains liaison between NRC and State, interstate, regional, Tribal, and quasi-governmental organizations on regulatory matters;

(7) Promotes NRC visibility and performs general liaison with other Federal agencies, and keeps NRC management informed of significant developments at other Federal agencies that affect the NRC;

(8) Monitors nuclear-related State legislative activities;

(9) Directs regulatory activities of State Liaison and State Agreement Officers located in Regional Offices;

(10) Participates in policy matters on State Public Utility Commissions (PUCs);

(11) Administers the State Agreements program in a partnership arrangement with the States;

(12) Develops staff policy and procedures and implements State Agreements program under the provisions of Section 274b of the Act;

(13) Provides oversight of the program for reviews of Agreement State programs to determine their adequacy and compatibility as required by Section 274j of the Act and other periodic reviews that may be performed to maintain a current level of knowledge of the status of the Agreement State programs;

(14) Provides training to the States as provided by Section 274i of the Act and also to NRC staff and staff of the U.S. Navy and U.S. Air Force;

(15) Provides technical assistance to Agreement States;

(16) Maintains an exchange of information with the States;

(17) Conducts negotiations with States expressing an interest in seeking a Section 274b Agreement;

(18) Supports, consistent with Commission directives, State efforts to improve regulatory control for radiation safety over radioactive materials not covered by the Act;

(19) Serves as the NRC liaison to the Conference of Radiation Control Program Directors, Inc. (CRCPD) and coordinates NRC technical support of CRCPD committees;

(20) Conducts high-level waste pre-licensing activities, consistent with direction in the Nuclear Waste Policy Act and the Energy Policy Act, to ensure appropriate standards and regulatory guidance are in place, and interacts with the applicant;

(21) Is responsible for regulation and licensing of recycling technologies intended to reduce the amount of waste to be disposed through geologic disposal and to reduce proliferation concerns since the technologies do not produce separated plutonium;

(22) Interacts with the Department of Energy and international experts, in order to develop an appropriate regulatory framework, in recycling during development, demonstration, and deployment of new advanced recycling technologies that recycle nuclear fuel in a manner that does not produce separated plutonium;

(23) Creates and maintains the regulatory infrastructure to support the agency's role in licensing a reprocessing facility and a related fuel fabrication facility and vitrification and/or waste storage facility;

(24) Prepares the NRC to perform its regulatory role for new, expanded, and modified commercial fuel cycle facilities that may include recycling, transmutation, and actinide burning. This includes regulatory processes such as licensing, inspection, assessment of license performance assessment, events analysis, and enforcement that will ensure that this technology can be safely and securely implemented commercially in the United States;

(25) Develops, promulgates, and amends regulations generally associated with the materials regulated by NMSS and for all security-related regulations that will be applied to licensees and holders of certificates of compliance issued by NMSS;

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(26) Supports safeguards activities including—

(i) Developing overall agency policy;

(ii) Monitoring and assessing the threat environment, including liaison with intelligence agencies, as appropriate; and

(iii) Conducting licensing and review activities appropriate to deter and protect against threats of radiological sabotage and threats of theft or diversion of nuclear material at regulated facilities and during transport;

(27) Regulates medical, industrial, academic, and commercial uses of radioactive isotopes;

(28) Oversees safe management and disposal of low-level radioactive wastes;

(29) Plans and directs program for financial assurance of NMSS licensees;

(30) Manages the decommissioning of facilities and sites when their licensed functions are over; and

(31) Identifies and takes action for activities under its responsibility, including consulting and coordinating with international, Federal, State, Tribal and local agencies, as appropriate.

[79 FR 75737, Dec. 19, 2014, as amended at 80 FR 74978, Dec. 1, 2015]

### § 1.43 Office of Nuclear Reactor Regulation.

The Office of Nuclear Reactor Regulation—

(a) Develops, promulgates and implements regulations and develops and implements policies, programs, and procedures for all aspects of licensing, inspection, and safeguarding of—

(1) Manufacturing, production, and utilization facilities, except for those concerning fuel reprocessing plants and isotopic enrichment plants;

(2) Receipt, possession, and ownership of source, byproduct, and special nuclear material used or produced at facilities licensed under 10 CFR parts 50, 52, and 54;

(3) Operators of such facilities;

(4) Emergency preparedness at such facilities; and

(5) Contractors and suppliers of such facilities.

(b) Identifies and takes action regarding conditions and licensee performance that may adversely affect

public health and safety, the environment, or the safeguarding of nuclear reactor facilities;

(c) Assesses and recommends or takes action regarding incidents or accidents;

(d) Provides special assistance as required in matters involving reactor facilities exempt from licensing;

(e) Provides guidance and implementation direction to Regional Offices on reactor licensing, inspection, and safeguards programs assigned to the Region, and appraises Regional program performance in terms of effectiveness and uniformity;

(f) Performs other functions required for implementation of the reactor licensing, inspection, and safeguard programs; and

(g) Performs review and evaluation related to regulated facilities insurance, indemnity, and antitrust matters.

[70 FR 69422, Nov. 16, 2005, as amended at 72 FR 49470, Aug. 28, 2007]

### § 1.44 Office of New Reactors.

The Office of New Reactors—

(a) Develops, promulgates and implements regulations and develops and implements policies, programs, and procedures for all aspects of licensing, inspection, and safeguarding of—

(1) Manufacturing, production, and utilization facilities licensed under part 52 of this chapter prior to initial commencement of operation;

(2) Receipt, possession, and ownership of source, byproduct, and special nuclear material used or produced at facilities licensed under part 52 of this chapter prior to initial commencement of operation;

(3) Operators of such facilities licensed under part 52 of this chapter prior to initial commencement of operation;

(4) Emergency preparedness at such facilities licensed under part 52 of this chapter prior to initial commencement of operation; and

(5) Contractors and suppliers of such facilities licensed under part 52 of this chapter prior to initial commencement of operation;

(b) Identifies and takes action regarding conditions and licensee performance that may adversely affect