



UNITED STATES
NUCLEAR REGULATORY COMMISSION
ADVISORY COMMITTEE ON REACTOR SAFEGUARDS
WASHINGTON, DC 20555 - 0001

December 9, 2004

Mr. Luis A. Reyes
Executive Director for Operations
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

SUBJECT: INTERIM LETTER – REGULATORY STRUCTURE FOR NEW PLANT
LICENSING: TECHNOLOGY-NEUTRAL FRAMEWORK

Dear Mr. Reyes:

During the 518th meeting of the Advisory Committee on Reactor Safeguards, December 2-4, 2004, we met with representatives of the NRC staff and discussed the staff's draft Commission Paper, "Second Status Paper of the Staff's Proposed Regulatory Structure for New Plant Licensing and Update on Policy Issues Related to New Plant Licensing." We also had the benefit of the documents referenced.

It is inevitable that the agency will be asked to certify reactor designs that are markedly different from current light-water reactors (LWRs). It will be difficult to apply current regulations to such designs. Thus, we strongly support the effort to develop a technology-neutral regulatory framework. We consider the completion of this effort to be essential for the efficient and effective certification of non-LWR designs. It can also be useful for risk-informed decisionmaking in general.

While it may be some time before an application for the certification of a non-LWR design is submitted, the development of a technology-neutral framework is likely to be a long-term effort. Thus, the ongoing commitment is appropriate. Our discussions with the staff to date have revealed that the staff has a strategic approach and is articulating and addressing difficult technical and policy issues. We believe the work has the potential to provide a more efficient and more coherent regulatory system. We look forward to continued discussion of the staff's progress.

Sincerely,

/RA/

Mario V. Bonaca
Chairman

References:

1. DRAFT Commission Paper, Second Status Paper of the Staff's Proposed Regulatory Structure for New Plant Licensing and Update on Policy Issues Related to New Plant Licensing (Predecisional).
2. U.S. Nuclear Regulatory Commission, Office of Nuclear Regulatory Research, NUREG-xxxx, Regulatory Structure for New Plant Licensing, Part 1: Technology-Neutral Framework (working draft Predecisional), December 2004.

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