July 18, 2000

ORGANIZATION: Nuclear Energy Institute (NEI)

SUBJECT: SUMMARY OF MEETING WITH NEI ON LICENSE RENEWAL ENVIRONMENTAL REPORTS

The Nuclear Regulatory Commission (NRC) staff met with NEI on June 28, 2000, to discuss the process for addressing new and significant information during the environmental review of license renewal applications. A list of meeting attendees is contained in Attachment 1 and the meeting agenda is contained in Attachment 2.

NEI requested that the staff provide clarification regarding staff expectations in an applicant's license renewal environmental report (ER) submittal with respect to new and significant information for Category 1 issues. The environmental impacts of the Category 1 issues have previously been evaluated in NUREG-1437, "Generic Environmental Impact Statement," (GEIS) and the scope and findings regarding the significance of these issues have been codified in Table B-1 of Appendix B To Subpart A of 10 CFR Part 51. NEI stated that future license renewal applicants were concerned that they may be expected to re-validate the conclusions on each Category 1 issue in their ER, which is not required by the rule.

The staff stated that an analysis to re-validate the conclusions of the GEIS regarding each Category 1 issue is not required. However, in accordance with 10 CFR Part 51.41, the staff is obligated to independently evaluate and be responsible for the reliability of the information it uses. This includes a determination made by an applicant for a renewed license on whether or not new and significant information exists with regard to Category 1 issues. It is necessary for the staff to confirm an applicant's new and significant determination regarding Category 1 issues in order to adopt the Category 1 conclusions of the GEIS in a site specific supplemental environmental impact statement (SEIS). Because the basis of the conclusion that an applicant is not aware of new and significant information must be substantiated, the staff has the authority from Section 51.41 to request such information.

NEI asked the staff to provide an example of an acceptable approach to become aware of new and significant information. The staff responded that, although an applicant is not required to implement a process to identify new and significant information, it is recommended that the applicant implement a systematic process to identify new information and develop a method to determine the significance of any new information that may arise. It would also be of benefit to the applicant to describe this process in the ER. If the applicant did not use a systematic process, the time and effort required by the staff to review an application could significantly increase. If the applicant has a process in place, the staff would perform its auditing activities only to the extent necessary to satisfy its regulatory responsibilities. Mechanisms that the staff uses to identify new and significant information and confirm an applicant's determination include site audits, public and other comments received during the scoping period, results of consultations with Federal, State, Tribal, and local agencies knowledgeable of the local environment, and comments received on the draft SEIS.

The staff further stated that Supplement 1 to NUREG-1555, “Environmental Standard Review Plan,” guides the staff during its environmental review of license renewal applications, including review of new and significant information. Regulatory Guide 4.2, “Preparation of Supplemental Environmental Reports For Applications to Renew Nuclear Power Plant Operating Reactors,” will describe one acceptable approach for an applicant to evaluate new and significant information and is expected to be issued in the near future. At the end of the meeting, NEI indicated that these discussions were helpful in addressing their concerns.

/RA/

Robert S. Jolly, Environmental Technical Reviewer
Environmental/Financial Section
Generic Issues, Environmental, Financial and Rulemaking Branch
Division of Regulatory Improvement Programs
Office of Nuclear Reactor Regulation

Attachments: As stated

The staff further stated that Supplement 1 to NUREG-1555, “Environmental Standard Review Plan,” guides the staff during its environmental review of license renewal applications, including review of new and significant information. Regulatory Guide 4.2, “Preparation of Supplemental Environmental Reports For Applications to Renew Nuclear Power Plant Operating Reactors,” will describe one acceptable approach for an applicant to evaluate new and significant information and is expected to be issued in the near future. At the end of the meeting, NEI indicated that these discussions were helpful in addressing their concerns.

/RA/

Robert S. Jolly, Environmental Technical Reviewer
Environmental/Financial Section
Generic Issues, Environmental, Financial and Rulemaking Branch
Division of Regulatory Improvement Programs
Office of Nuclear Reactor Regulation

Attachments: As stated

Distribution:
See next page
*See previous concurrence
C:\mtgsum6-28.wpd

OFF	LA	RGEB	PM:RLSB	OGC	BC:RGEB	BC:RLSB
NAME	EHylton	RJolly	SHoffman	JMoore	CCarpenter	CGrimes
DATE	7/12/00*	7/25 /00	7/11/00*	7/21/00*	7/ 13/ 00	7/18 /00

OFFICIAL RECORD COPY

ATTENDANCE LIST
NRC STAFF MEETING THE NUCLEAR ENERGY INSTITUTE
JUNE 28, 2000

NAME	ORGANIZATION
1. Steve Hoffman	NRC/NRR/DRIP/RLSB
2. Charles Ader	NRC/NRR/DRIP
3. Cindi Carpenter	NRC/NRR/DRIP/RGEB
4. Barry Zalcman	NRC/NRR/DRIP/RBEB
5. David Matthews	NRC/NRR/DRIP
6. Janice Moore	NRC/OGC
7. David Lewis	Shaw Pittman
8. Tom Moorer	Southern Nuclear
9. Bill Maher	PECO Energy
10. Fred Polaski	PECO Energy
11. Doug Walters	NEI
12. E. A. Thompson	Florida Power & Light (FPL)
13. Chris Grimes	NRC/NRR/DRIP/RLSB
14. Don Cleary	NRC/NRR/DRIP/RGEB
15. Thomas Kenyon	NRC/NRR/DRIP/RGEB
16. Chris Hallman	Duke Power Co.
17. James Knorr	Wis. Elec Power
18. Nancy Chapman	SERCH/Bechtel
19. Jim Wilson	NRC/NRR/DRIP/RGEB
20. Rob Jolly	NRC/NRR/DRIP/RGEB
21. Ricky N. Buckley	Entergy
22. Tony Banks	Virginia Power
23. Jon Cuchvorth	Tetra Tech NUS
24. Bill Corbon	Virginia Power
25. Chris Willbanks	NUS Information Services
26. Bill Miller	Duke Power
27. Anne Cottingham	Winston & Strawn
28. Steve Summer	South Carolina Electrics & Gas
29. Bob Bishop	NEI
30. Tony Pietrangelo	NEI
31. Ted Ringger	Constellation Nuclear Services
32. C. Christophe	National Whistleblowers
33. S. Brock	National Whistleblowers

Attachment 1

AGENDA
NRC LICENSE RENEWAL STEERING COMMITTEE MEETING
WITH THE NEI LICENSE RENEWAL WORKING GROUP
JUNE 28, 2000

1.	Operating Remarks	NRC/NEI
2.	Industry interpretation of Part 51 and the “new and significant” provision	NEI
3.	Overview of NUREG-1555, Supplement 1 guidance (and other relevant regulatory information such as Part 51 and draft environmental regulatory guide, DG-4005) on new and significant information	NRC
4.	Need for further discussion or clarification	All

Attachment 2

NUCLEAR ENERGY INSTITUTE

Project No. 690

cc:

Mr. Dennis Harrison
U.S. Department of Energy
NE-42
Washington, D.C. 20585

Mr. Robert Gill
Duke Energy Corporation
Mail Stop EC-12R
P.O. Box 1006
Charlotte, NC 28201-1006

Mr. Richard P. Sedano, Commissioner
State Liaison Officer
Department of Public Service
112 State Street
Drawer 20
Montipelier, Vermont 05620-2601

Mr. Charles R. Pierce
Southern Nuclear Operating Co.
40 Inverness Center Parkway
BIN B064
Birmingham, AL 35242

Mr. Douglas J. Walters
Nuclear Energy Institute
1776 I Street, N.W., Suite 400
Washington, DC 20006-3708
DJW@NEI.ORG

Mr. David Lochbaum
Union of Concerned Scientists
1616 P. St., NW
Suite 310
Washington, DC 20036-1495

National Whistleblower Center
3238 P Street, N.W.
Washington, DC 20007-2756

Mr. Garry Young
Entergy Operations, Inc.
Arkansas Nuclear One
1448 SR 333 GSB-2E
Russellville, Arkansas 72802