

August 23, 2004

Our File: 108US-01321-021-001
108US-ACNU04-0021L
Your File: Project No. 722

U.S. Nuclear Regulatory Commission,
Document Control Desk,
Washington, D.C. 20555

Attention: Mr. W. Beckner
Program Director, New, Research and Test reactors

Re: ACR-700: Making Preliminary Information Public

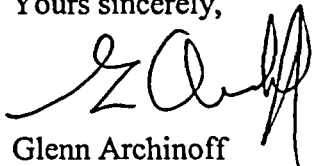
We have become aware of information published on the NRC website or made available through ADAMS that pertains to NRC staff reviews of several of the "Focus Topics" that have been discussed during the ACR-700 Pre-Application Phase. Specifically information on Focus Topics 3 and 9 was made available via the website. Also, an NRC internal memorandum on Focus Topics 6 and 8 was made available on ADAMS.

We understand the importance of an open and transparent regulatory process and the need for NRC staff to report publicly its progress on various activities. However, we believe that it was inappropriate to publish conclusions from NRC staff reviews at this phase in the project, because the conclusions were preliminary, did not necessarily represent the view of the agency, and were not provided in context. The outcome could have been to mislead the public, rather than inform them.

Please confirm that procedures are in place to correct this situation and to prevent a recurrence.

If you have any questions regarding this letter please contact me at (301) 228-6637.

Yours sincerely,



Glenn Archinoff
ACR Licensing Manager

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