

April 14, 2005

Mr. Adrian P. Heymer
Director, Special Projects
Nuclear Generation Division
Nuclear Energy Institute (NEI)
1776 I Street, NW, Suite 400
Washington, D.C. 20006-3708

SUBJECT: COMPLETED AND INTEGRATED EMERGENCY PLANS WITH COMBINED
LICENSE ACTION ITEMS

Dear Mr. Heymer:

The purpose of this letter is to provide you certain information related to early site permit (ESP) emergency planning (EP) that was discussed in the January 18, 2005, meeting between the U.S. Nuclear Regulatory Commission (NRC) staff and the Nuclear Energy Institute (NEI) on ESP EP issues. The summary for this meeting may be found at ADAMS Accession No. ML050400256.

In response to our discussion at this meeting, the staff has determined that complete and integrated emergency plans submitted in an ESP application pursuant to 10 CFR 52.17(b)(2)(ii) may include combined license (COL) action items as placeholders for information that could not reasonably be expected to be available at the ESP stage. Such information items would be similar to information that may be the subject of EP inspections, tests, analyses, and acceptance criteria (ITAAC) at the COL stage.

Enclosed is a draft table (ML050610029), entitled "Emergency Planning - Early Site Permit (ESP) Application Options." Column 1 of this draft table lists the evaluation criteria from NUREG-0654/FEMA-REP-1, Rev.1, "Criteria for Preparation and Evaluation of Radiological Emergency Response Plans and Preparedness in Support of Nuclear Power Plants," which is the staff's guidance document for review of complete and integrated emergency plan submittals. Column 2 lists the evaluation criteria from Supplement 2 to NUREG-0654 for ESP submittals that seek acceptance of major features of emergency plans. Column 3 identifies draft proposed COL action items for an ESP "complete and integrated plan" submittal. These COL action items are the same as the EP ITAAC previously proposed by the staff for a so-called "greenfield site." These proposed EP ITAAC were revised, and ultimately reduced to the final, proposed draft of EP ITAAC (currently reflected in Table 4.3.9.14-4 of Draft NEI 04-01, Revision D, December 21, 2004). The revised proposed EP ITAAC are shown in column 4 of the enclosed table. All information in the table is publicly available, and has been formatted to allow a convenient comparison of EP evaluation criteria.

The staff considers column 3 to represent a reasonable maximum set of COL action items for a "complete and integrated emergency plan" ESP submittal. An ESP applicant could choose to provide information that is available to address column 3 action items at the ESP stage, and

thereby reduce the number of COL action items. We believe that an ESP application requesting COL action items beyond those listed in column 3 would not be acceptable in support of a reasonable assurance finding for complete and integrated emergency plans. Any such additional placeholders would cover emergency planning areas that could reasonably be addressed at the ESP stage. Further, establishing a maximum set of COL action items serves to provide clear criteria for an applicant, as well as objective evaluation guidance for staff review.

As previously noted, the list is draft and subject to additional staff consideration. Once finalized, it would likely be appropriate for inclusion in a future revision to NRC/FEMA guidance documents. We would welcome a discussion of this subject and the enclosed table in a future meeting with NEI.

Should you have questions regarding this letter, please contact Mr. John Segala at (301) 415-1858.

Sincerely,

/RA/

William D. Beckner, Program Director
New, Research and Test Reactors Program
Division of Regulatory Improvement Programs
Office of Nuclear Reactor Regulation

Project No. 689

Enclosure: As stated

cc w/o enclosure: See next page

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ADAMS ACCESSION NO. ML050610023

* See previous concurrence

OFFICE	PM:RNRP	SC:NSIR/EPD*	OGC/NLO	SC:RNRP
NAME	MScott	EWeiss	RWeisman	LDudes
DATE	3/4/05	3/4/05	4/12/05	4/13/05

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RNRP RF
L. Dudes
W. Beckner

E-MAIL:

PUBLIC

J. Dyer	L. Dudes
R. Borchardt	N. Gilles
A. Fernandez	R. Anand
D. Barss	J. Anderson
D. Matthews	B. Musico
F. Gillespie	E. Weiss
R. Moody	N. Mamish
R. Weisman	K. Winsberg
A. Hodgdon	J. Segala
J. Colaccino	

ESP-Generic

cc:

Mr. David Lochbaum
Union of Concerned Scientists
1707 H Street, NW
Suite 600
Washington, DC 20006-3919

Mr. Paul Gunter, Director
Reactor Watchdog Project
Nuclear Information & Resource Service
1424 16th Street, NW, Suite 404
Washington, DC 20036

Mr. Adrian Heymer
Nuclear Energy Institute
Suite 400
1776 I Street, NW
Washington, DC 20006-3708

Mr. Russell Bell
Nuclear Energy Institute
Suite 400
1776 I Street, NW
Washington, DC 20006-3708

Mr. Thomas P. Miller
U.S. Department of Energy
Headquarters - Germantown
19901 Germantown Road
Germantown, MD 20874-1290

Mr. James Riccio
Greenpeace
702 H Street, NW, Suite 300
Washington, DC 20001

Mr. Rod Krich
Vice President, Licensing Projects
Exelon Nuclear
4300 Winfield Road
Warrenville, IL 60555

Ms. Patricia Campbell
Morgan Lewis
1111 Pennsylvania Avenue
Washington, DC 20004

Mr. Ernie H. Kennedy
Vice President New Plants
Nuclear Plant Projects
Westinghouse Electric Company
2000 Day Hill Road
Windsor, CT 06095-0500

Dr. Regis A. Matzie
Senior Vice President and
Chief Technology Officer
Westinghouse Electric Company
2000 Day Hill Road
Windsor, CT 06095-0500

Mr. Gary Wright, Director
Division of Nuclear Facility Safety
Illinois Emergency Management Agency
1035 Outer Park Drive
Springfield, IL 62704

Mr. Glenn H. Archinoff
AECL Technologies
481 North Frederick Avenue
Suite 405
Gaithersburg, MD. 20788

Mr. Brendan Hoffman
Research Associate on Nuclear Energy
Public Citizens Critical Mass Energy
and Environmental Program
215 Pennsylvania Avenue, SE
Washington, DC 20003

Mr. Tom Clements
6703 Guide Avenue
Takoma Park, MD 20912

Mr. Paul Leventhal
Nuclear Control Institute
1000 Connecticut Avenue, NW
Suite 410
Washington, DC 20036

Dr. Jack W. Roe
Vice President
Advanced Technologies & Laboratories
International, Inc.
20010 Century Boulevard, Suite 500
Germantown, MD 20874

Ms. Marilyn Kray
Vice President, Special Projects
Exelon Generation
200 Exelon Way, KSA3-E
Kennett Square, PA 19348

Mr. Joseph D. Hegner
Lead Engineer - Licensing
Dominion Generation
Early Site Permitting Project
5000 Dominion Boulevard
Glen Allen, VA 23060

Mr. George Alan Zinke
Project Manager
Nuclear Business Development
Entergy Nuclear
M-ECH-683
1340 Echelon Parkway
Jackson, MS 39213

Mr. Charles Brinkman
Westinghouse Electric Co.
Washington Operations
12300 Twinbrook Pkwy., Suite 330
Rockville, MD 20852

Mr. Marvin Fertel
Senior Vice President
and Chief Nuclear Officer
Nuclear Energy Institute
Suite 400
1776 I Street, NW
Washington, DC 20006-3708

Dr. Glenn R. George
PA Consulting Group
130 Potter Street
Haddonfield, NJ 08033

Mr. Arthur R. Woods
Enercon Services, Inc.
500 TownPark Lane
Kennesaw, GA 30144

Mr. Thomas Mundy
Director, Project Development
Exelon Generation
200 Exelon Way, KSA3-E
Kennett Square, PA 19348

Mr. Ed Wallace, General Manager
Projects
PBMR Pty LTD
PO Box 9396
Centurion 0046
Republic of South Africa

Ms. Vanessa E. Quinn, Chief
Radiological Emergency Preparedness
Section
Department of Homeland Security/FEMA
500 C Street, SW
Washington, DC 20472

Mr. Ron Simard
6170 Masters Club Drive
Suwanee, GA 30024

Dr. Gail H. Marcus
US Department of Energy
Room 5A-143
1000 Independence Avenue, SW
Washington, DC 20585

Mr. Jerald S. Holm
Framatome ANP, Inc.
3315 Old Forest Road
P.O. Box 10935
Lynchburg, VA 24506-0935

External E-Mail
eddie.grant@exeloncorp.com
jerald.holm@framatome-anp.com
mwetterhahn@winston.com
whorin@winston.com