May 26, 2005

Mr. Joseph E. Conen, Chairman
BWR Owners Group
DTE Energy-Fermie 2
200 TAC
6400 N. Dixie Highway
Newport, MI 48166

SUBJECT: NEW PROCESS FOR COORDINATING REVIEWS OF TOPICAL REPORTS AND RELATED PLANT-SPECIFIC LICENSING ACTIONS

Dear Mr. Conen:

This letter is to inform you that, as part of our ongoing efforts to improve the effectiveness and efficiency of the topical report program, we have implemented a new process for coordinating the reviews of topical reports and related plant-specific licensing actions that reference these topical reports.

During a recent owners group meeting, several examples were cited where the staff is simultaneously reviewing topical reports and plant-specific licensing actions that reference these topical reports. In those cases the sole justification for the plant-specific licensing action is the staff's presumed approval of the referenced topical report. This can create situations where approval of the topical report may be delayed or denied for technical reasons while we have related plant-specific licensing actions with their own timeliness goals. In such cases, we would need to suggest withdrawal of the plant-specific licensing action or else deny it because the supporting topical report cannot be approved in a time frame compatible with the plant-specific licensing action age goals. Another concern that affects review of plant-specific licensing actions based on topical reports is duplication of staff efforts in reviewing a plant-specific licensing action and the related topical report separately, resulting in inefficient use of the limited staff resources.

Therefore, we are implementing the following guidelines for review of topical reports and related plant-specific licensing actions.

In general, we will discourage plant-specific licensing action reviews, that reference a topical report under review, in parallel with the referenced topical report review until the staff publishes the draft safety evaluation for the topical report following resolution of technical issues and identification of any limitations/conditions to use the topical report. If plant-specific information is needed in support of a topical report, it should be submitted as part of the topical report, either in the body of the topical report or as appendices to the topical report, as opposed to a separate "pilot plant" application.

If the Vendor/Owners Group (OG) has prior knowledge that a licensee plans to submit a license amendment application referencing a topical report, which is either proposed or currently under staff review, the Vendor/OG should contact the cognizant Vendor/OG PM to discuss the merits and potential problems with such a submittal. In some cases, it may be desirable to have a pre-submittal teleconference or a meeting with the licensee, the Vendor/OG, the cognizant Vendor/OG PM, the cognizant plant PM, and the cognizant technical staff to discuss the impact of the topical report review on the plant-specific licensing action review or vice versa.

This guidance also applies to plant-specific license amendment applications that are substantively the same as a topical report under review, but are submitted as stand-alone amendments without referencing the related topical report as the basis. Such stand-alone applications may be accepted for review after discussion with the licensee, the cognizant Vendor/OG, the cognizant Vendor/OG PM, the cognizant plant PM, and the cognizant technical staff regarding the merits and potential problems with such a submittal, if a mutual agreement is reached among all parties regarding review of the plant-specific application, considering our limited resources.

If you have any questions on this letter, please contact me at (301) 415-1395.

Sincerely,

/RA/
Herbert N. Berkow, Director
Project Directorate IV
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Project No. 691

cc: See next page

cc:

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