



UNITED STATES  
NUCLEAR REGULATORY COMMISSION

WASHINGTON, D.C. 20555-0001

August 19, 2005

G. Paul Bollwerk, III, Chair  
Administrative Judge  
Atomic Safety and Licensing Board Panel  
U.S. Nuclear Regulatory Commission  
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Washington, D.C. 20555-0001

Anthony J. Baratta  
Administrative Judge  
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Paul B. Abramson  
Administrative Judge  
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U.S. Nuclear Regulatory Commission  
Mail Stop: T-3F23  
Washington, D.C. 20555-0001

In the Matter of  
SYSTEM ENERGY RESOURCES, INC.  
(Early Site Permit for Grand Gulf ESP Site)  
Docket No. 52-009-ESP

Dear Administrative Judges:

The Staff hereby informs the Board and parties that the schedule for issuing the final EIS associated with this proceeding has changed. The final EIS is now projected to be issued in April 2006. The Staff informed SERI of this change in a letter dated August 16, 2005, a copy of which is enclosed. The Staff will inform the Board should the schedule change further.

Sincerely,

  
Antonio Fernández  
Counsel for NRC Staff

Enclosures: As stated

cc w/encl: Kathryn M Sutton, Esq.  
Patricia L. Campbell, Esq..  
Diane Curran, Esq  
Office of the Secretary  
Atomic Safety and Licensing Board Panel  
Office of Commission Appellate Adjudication



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August 16, 2005

Mr. C. Randy Hutchinson, Senior Vice President  
Business Development  
Entergy Nuclear, Inc.  
P.O. Box 32000  
Jackson, MS 39286

Dear Mr. Hutchinson:

By letter dated June 24, 2005, you expressed concern regarding potential delays in the review schedule for the application of System Energy Resources Inc. (SERI) for an early site permit (ESP) for the Grand Gulf ESP site. This letter updates you on the progress of the review and identifies revised schedule targets for the remainder of the review (see enclosure).

The review schedule reflects the effort to complete the environmental and safety reviews for the SERI ESP application. An estimate of the dates for the mandatory hearing and Commission's final decision is also provided in the enclosed schedule; however, these schedules are not within the staff's control. The staff may be able to improve on that schedule if the review progresses more quickly than planned.

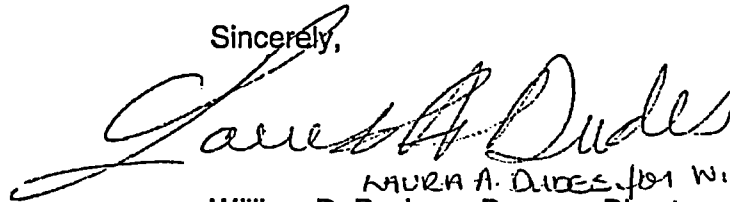
The staff issued the draft environmental impact statement (EIS) for the SERI ESP in April 2005. The comment period ended on July 14, 2005. The staff is assessing the number of public comments for the SERI ESP draft EIS. In addition to reviewing the SERI ESP application, the staff is also reviewing ESP applications from Dominion Nuclear North Anna, LLC (Dominion) and Exelon Generation Company, LLC (Exelon). In the case of the Dominion review, more than 1300 people provided approximately 7000 comments on the draft EIS. The number of public comments significantly exceeded what had been planned for in the previous schedule. The level of stakeholder participation for the Dominion draft EIS led the staff to determine that additional resources and time are needed to consider the public comments and to complete the Dominion environmental review. Therefore, the staff expects to delay the issuance of the Dominion final EIS by four months. The resources devoted to the Dominion review have had an effect on the review schedules for the Exelon and SERI ESP applications, as common issues are being resolved and key members of the environmental review teams are being used on multiple ESP applications. The NRC staff expects that much of the experience gained from its review of the Dominion ESP application (e.g., comment responses, changes resulting from final internal review) will be applicable to the review of the Exelon and SERI ESP applications.

The NRC staff developed an integrated environmental review schedule for the first-of-a-kind ESP applications concurrent with license renewal reviews, extended power uprate reviews, and other operating reactor licensing actions. The staff planned and scheduled the ESP application reviews reflecting applicants' fulfillment of schedule commitments and staggered the review schedules of the three ESP applications in an attempt to ensure that (1) experience from the initial review would be incorporated into the subsequent reviews, (2) reviews are consistent, and (3) resources are effectively utilized. Consequently, the SERI ESP application review schedule depended, in part, on the successful implementation of the Dominion ESP application review.

The Commission places a high value on establishing and maintaining stable and predictable regulatory programs for licensing and inspecting new nuclear plants, including the review of ESPs. Based on the lessons-learned from the three ongoing ESP reviews, the staff is taking additional actions to limit future scheduling delays. Actions include developing a database of public comment responses and obtaining additional contractor support.

The NRC staff discussed these schedule changes with your staff in a phone conference on August 16, 2005. If you have any questions or comments concerning this matter, you may contact James H. Wilson at (301) 415-1108 or [jhw1@nrc.gov](mailto:jhw1@nrc.gov), or Raj Anand at (301) 415-1146 or [rka@nrc.gov](mailto:rka@nrc.gov).

Sincerely,



LAURA A. DUDES for William D. Beckner

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

Docket No. 52-009

Enclosure: As stated

cc: See next page

Grand Gulf Early Site Permit - Environmental Review

cc:

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**Review Schedule for SERI Early Site Permit Application for  
Grand Gulf ESP Site**

<b>Milestone</b>	<b>Complete Date (Actual-A Target-T)</b>
Receive early site permit application	10/21/03-A
Press Release announcing receipt and availability	11/07/03-A
Federal Register notice (FRN) published for receipt and availability	11/14/03-A
FRN published announcing acceptance	12/01/03-A
FRN published for Notice of Intent (environmental scoping process)	12/31/03-A
Press Release announcing acceptance	01/13/04-A
FRN published for mandatory hearing	01/16/04-A
Environmental scoping meeting	01/21/04-A
Scoping period ends	02/12/04-A
1st inspection complete	02/13/04-A
Deadline for filing petitions for intervention	02/17/04-A
Environmental site audit	04/16/04-A
Deadline for submitting contentions	05/03/04-A
Prehearing conference on proceeding	06/21/04-A
Environmental requests for additional information (RAIs) issued to applicant	07/02/04-A
Applicant submits response to environmental RAIs	09/17/04-A
Safety and emergency planning (EP) RAIs issued to the applicant	09/21/04-A
Applicant submits responses to safety and EP RAIs	12/07/04-A
Draft safety evaluation report (SER) issued	04/07/05-A
Draft environmental impact statement (EIS) to EPA, Issue Notice of Availability	04/21/05-A
ACRS subcommittee meeting on draft SER	05/16/05-A
ACRS full committee meeting on draft SER	06/02/05-A
ACRS interim letter to Commission	06/14/05-A
Applicant submits responses to SER open items	06/21/05-A
Public meeting to discuss draft EIS	06/28/05-A
2nd inspection complete	NA*
Optional final inspection complete	NA*
ACRS subcommittee meeting on final SER	NA*
End of draft EIS comment period	07/14/05-A
Final SER issued	10/21/05-T
Regional Administrator's Letter	NA*
ACRS full committee meeting on final SER	12/08/05-T
ACRS letter to Commission	12/22/05-T
Final SER issued as NUREG	01/28/06-T
Final EIS issued to EPA/Issue Notice of Availability	04/14/06-T
Atomic Safety and Licensing Board (ASLB) initial decision	09/29/06-T
Commission decision	01/30/07-T

\*Optional final inspection, ACRS subcommittee meeting, and Regional Administrator letter on final SER not needed.

Enclosure