

C.III.4. COL Action or Information Items

C.III.4.1 Background

Appendices A–D to 10 CFR Part 52 set forth the design certification rules that specify the NRC’s requirements for the certified reactor designs (i.e., the U.S. Advanced Boiling-Water Reactor, System 80+, AP600, and AP1000, respectively). Section II.E of each design certification appendix defines “Tier 2 information,” which includes COL action or information items, defined as follows in Section II.E.4:

Combined license (COL) action items (COL license information), which identify certain matters that shall be addressed in the site-specific portion of the final safety analysis report (FSAR) by an applicant who references this appendix. These items constitute information requirements but are not the only acceptable set of information in the FSAR. An applicant may depart from or omit these items, provided that the departure or omission is identified and justified in the FSAR. After issuance of a construction permit or COL, these items are not requirements for the licensee unless such items are restated in the FSAR.

The design control documents for each certified design contain COL information items, which the design certification vendor has deferred to the COL applicant to address in its application. The NRC staff’s final safety evaluation report (FSER) for each certified design also contains a set of COL action items, which are cross-referenced with COL information items in the related design control document. In addition, at the early site permit (ESP) stage, the NRC staff adds COL action items to the ESP in order to ensure that particular site-related issues are considered during the review of later applications referencing the ESP. The NRC staff has determined that these COL action items do not affect its regulatory findings at the ESP stage and are more appropriately addressed during later stages in the licensing process.

Section C.III.1 of this guide provides both a generic and comprehensive set of information a COL applicant should provide in the FSAR of its COL application that references a certified design. This section provides guidance on how COL applicants should address the COL action or information items associated with the certified design referenced in its COL application.

C.III.4.2 Addressing COL Action or Information Items

As previously noted, the design control documents specify the COL information items that the applicant is required to address, and each COL application should identify the items that it will address, with cross-references to where each item is addressed in the COL application. The NRC staff recommends that the applicant include this information in Chapter 1 of the COL application.

Similarly, COL applicants referencing an ESP should review each COL action item identified in the permit, and the COL application should identify the COL action items that it will address. For items that are addressed, the COL applicant should provide cross-references to where each item is addressed in Chapter 1 of the COL application.

For each COL action or information item that is not addressed, whether it is derived from the design certification or an ESP, the COL application should provide justification for why that item is not addressed in the application. For example, items that require plant walkdowns cannot be completed because the plant has not been constructed at the time the application is submitted.

As previously noted, the FSER for each design certification contains a set of COL action items, which are cross-referenced with COL information items in the related design control document. In addressing the COL information items in the design control document, the COL applicant should ensure that it has also addressed the issues described by the COL action items listed in the related FSER. The staff intends to review the FSER list of COL action items during its review of each COL application and may request additional information from the COL applicant to address issues described by the listed action items that the COL application did not adequately address.

C.III.4.3 COL Information Items that cannot be Addressed Prior to the issuance of a License

The COL applicant referencing a certified design should identify the COL information items that cannot be addressed before the COL is issued in Chapter 1 of the FSAR. The staff intends to review these COL information items to consider if they can be addressed prior to the issuance of the license. There are at least five situations that would allow these COL information items to be addressed before the license is issued:

- (1) The COL information is found to be completely redundant to an ITAAC that will be included in the COL.
- (2) The COL applicant proposes a commitment to address the COL information item.
- (3) The COL applicant proposes a condition to the license for COL information items that cannot be addressed until after fuel load.
- (4) The COL information item refers to an operational program that is listed in Section 13.4 of the FSAR (see Section C.IV.4 of this guide).
- (5) The COL applicant proposes an ITAAC to resolve the COL information item.

The NRC recommends that COL applicants review COL information items that cannot be addressed until after the license is issued and consider these above situations, such that all COL information items can be considered addressed upon issuance of the license.