

**From:** Jerry Bonanno  
**To:** horst\_greczmiel@ceq.eop.gov; pat\_carter@fws.gov; rountree.marthea@epa.gov  
**Date:** 10/3/2006 11:39:33 AM  
**Subject:** Nuclear Regulatory Commission's Supplemental Proposed Rule Dealing With Limited Work Authorizations

The Nuclear Regulatory Commission (NRC) is planning to publish for public comment a proposed rule which would amend the NRC's regulations applicable to limited work authorizations (LWA), which allow certain activities on nuclear power plants to commence before a construction permit or combined license is issued. The NRC is writing to solicit comment by your agency on this supplemental proposed rule. An advance copy of the rule is attached for your review.

The supplemental proposed rule would modify the scope of activities that are considered construction requiring a LWA and would also make changes to the review and approval process for LWA requests. Specifically, activities such as site clearing, site grading, erection of temporary construction support buildings for use in connection with the construction of the facility, and building permanent service facilities (such as paved roads, parking lots, railroad spurs, exterior utility and lighting systems, potable water systems, sanitary sewerage treatment facilities, and transmission lines) would not be considered "construction" under the supplemental proposed rule for the reasons set out in the statement of considerations for the proposed rule. Therefore, these activities would not require NRC permission prior to being undertaken. The NRC is proposing these changes to enhance the efficiency of its licensing and approval process for new nuclear reactors.

The public comment period for the supplemental proposed rule is 30 days. As noted above, the NRC has attached an advance copy of the rule in order to provide as much time as possible for your consideration and comment. Please also note that this supplemental proposed rule is in the final stages of internal administrative review and has not been published in the Federal Register. If you have any questions regarding the supplemental proposed rule, please contact me (301-415-1328) or Geary Mizuno, at 301-415-1328 ([gsm@nrc.gov](mailto:gsm@nrc.gov)).

Jerry Bonanno  
Attorney  
U.S. Nuclear Regulatory Commission  
Office of the General Counsel  
11555 Rockville Pike  
Mail Stop O15 D21  
Rockville, MD 20852-2738

**CC:** Francis Cameron; Geary Mizuno; [hargrove.robert@epa.gov](mailto:hargrove.robert@epa.gov); Joseph Gray; [miller.anne@epa.gov](mailto:miller.anne@epa.gov); Stuart Treby

**Mail Envelope Properties** (45228435.87B : 5 : 12080)

**Subject:** Nuclear Regulatory Commission's Supplemental Proposed Rule Dealing  
 With Limited Work Authorizations  
**Creation Date** 10/03/2006 11:39:33 AM  
**From:** Jerry Bonanno  
**Created By:** JXB5@nrc.gov

**Recipients**

ceq.eop.gov  
 horst\_greczmiel (horst\_greczmiel@ceq.eop.gov)

epa.gov  
 hargrove.robert CC (hargrove.robert@epa.gov)  
 miller.anne CC (miller.anne@epa.gov)  
 rountree.marthea (rountree.marthea@epa.gov)

fws.gov  
 pat\_carter (pat\_carter@fws.gov)

nrc.gov  
 OWGWPO01.HQGWDO01  
 FXC CC (Francis Cameron)

nrc.gov  
 OWGWPO02.HQGWDO01  
 JRG CC (Joseph Gray)

nrc.gov  
 TWGWPO01.HQGWDO01  
 GSM CC (Geary Mizuno)

nrc.gov  
 TWGWPO02.HQGWDO01  
 SAT CC (Stuart Treby)

**Post Office**

OWGWPO01.HQGWDO01  
 OWGWPO02.HQGWDO01  
 TWGWPO01.HQGWDO01

**Route**

ceq.eop.gov  
 epa.gov  
 fws.gov  
 nrc.gov  
 nrc.gov  
 nrc.gov

TWGWPO02.HQGWDO01

nrc.gov

<b>Files</b>	<b>Size</b>	<b>Date &amp; Time</b>
MESSAGE	3006	10/03/2006 11:39:33 AM
Draft_LWA_proposed rule.wpd	346530	10/03/2006 11:11:25 AM

**Options**

<b>Expiration Date:</b>	None
<b>Priority:</b>	Standard
<b>ReplyRequested:</b>	No
<b>Return Notification:</b>	None

<b>Concealed Subject:</b>	No
<b>Security:</b>	Standard