

**From:** Jerry Bonanno  
**To:** john.schnagl@ferc.gov  
**Date:** 10/16/2006 4:17:35 PM  
**Subject:** Nuclear Regulatory Commission's Supplemental Proposed Rule Dealing With Limited Work Authorizations

John:

Per our discussion this afternoon, I've attached a copy of the supplemental proposed rule that is currently available on our webpage in draft form. The proposed rule is scheduled to be published in the Federal Register tomorrow. I have also included a description of the supplemental proposed rule below, which was sent to EPA, CEQ, and FWS on 10/3/06. Please let me know if you have any questions or comments.

Jerry

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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)).

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**From:** Jerry Bonanno

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