

February 8, 2007

Mr. Alexander Marion
Nuclear Energy Institute
1776 I Street, NW, Suite 400
Washington, DC 20006-3708

SUBJECT: PROPOSED LICENSE RENEWAL INTERIM STAFF GUIDANCE
LR-ISG-2006-02: STAFF GUIDANCE ON ACCEPTANCE REVIEW FOR
ENVIRONMENTAL REPORTS FOR LICENSE RENEWAL APPLICATIONS

Dear Mr. Marion:

The purpose of this letter is to provide you with an opportunity to comment on the proposed License Renewal Interim Staff Guidance (LR-ISG) 2006-02 (Enclosure) on the acceptance review criteria for environmental reports submitted with applications for reactor license renewal. This LR-ISG summarizes the Title 10 of the *Code of Federal Regulations* Part 51 (10 CFR Part 51) requirements for environmental reports submitted with license renewal applications in a checklist format that will be used by the U.S. Nuclear Regulatory Commission (NRC) staff to verify the completeness of these reports.

This proposed LR-ISG does not convey a change in the NRC's regulations or how they are being interpreted. It is being provided to assist future applicants in preparing environmental reports that are submitted with license renewal applications. As such, we are interested in receiving comments on the proposed LR-ISG. The staff plans to incorporate this guidance into a future update of NUREG-1555, *Standard Review Plans for Environmental Reviews for Nuclear Power Plants, Supplement 1: Operating License Renewal*. Because this LR-ISG provides documentation of the existing acceptance review practice in accordance with existing regulations, the staff did not perform a backfit evaluation.

A. Marion

A notice relating to this proposed LR-ISG will be published in the *Federal Register*. The staff is requesting your comments on the proposed LR-ISG as indicated in the *Federal Register* Notice. If you have any questions regarding this matter, please contact Ms. Jennifer Davis, by telephone at 301-415-3835 or by e-mail at jxd10@nrc.gov.

An identical letter was sent to Mr. David Lochbaum of the Union of Concerned Scientists for comment.

Sincerely,

/RA/

Pao-Tsin Kuo, Acting Director
Division of License Renewal
Office of Nuclear Reactor Regulation

Project No. 690

Enclosure:
As stated

cc w/encl: See next page

A. Marion

-2-

A notice relating to this proposed LR-ISG will be published in the *Federal Register*. The staff is requesting your comments on the proposed LR-ISG as indicated in the *Federal Register* Notice. If you have any questions regarding this matter, please contact Ms. Jennifer Davis, by telephone at 301-415-3835 or by e-mail at jxd10@nrc.gov.

An identical letter was sent to Mr. David Lochbaum of the Union of Concerned Scientists for comment.

Sincerely,

/RA/

Pao-Tsin Kuo, Acting Director
Division of License Renewal
Office of Nuclear Reactor Regulation

Project No. 690

Enclosure:
As stated

cc w/encl: See next page

Adams Accession Nos. Package: **ML063190421**
FRN: **ML063190464**

Letter: **ML063190440**
Checklist: **ML063190452**

OFFICE	LA:DLR	PM:DLR	PM:DLR	PM:DLR
NAME	SFiguroa	JDavis	RSchaaf	LTran
DATE	11/17/06	11/08/06	11/13/06	12/12/06
OFFICE	OGC	BC:DLR	BC:DLR	D:DLR
NAME	JMortina NLO w/edits	BPham for RFranovich	RAuluck	PTKuo
DATE	12/21/06	12/27/06	01/03/07	02/08/07

OFFICIAL RECORD COPY

February 8, 2007

Mr. David Lochbaum
Union of Concerned Scientists
1707 H Street, NW, Suite 600
Washington, DC 20006-3919

SUBJECT: PROPOSED LICENSE RENEWAL INTERIM STAFF GUIDANCE
LR-ISG-2006-02: STAFF GUIDANCE ON ACCEPTANCE REVIEW FOR
ENVIRONMENTAL REPORTS FOR LICENSE RENEWAL APPLICATIONS

Dear Mr. Lochbaum:

The purpose of this letter is to provide you with an opportunity to comment on the proposed License Renewal Interim Staff Guidance (LR-ISG) 2006-02 (Enclosure) on the acceptance review criteria for environmental reports submitted with applications for reactor license renewal. This LR-ISG summarizes the Title 10 of the *Code of Federal Regulations* Part 51 (10 CFR Part 51) requirements for environmental reports submitted with license renewal applications in a checklist format that will be used by the U.S. Nuclear Regulatory Commission (NRC) staff to verify the completeness of these reports.

This proposed LR-ISG does not convey a change in the NRC's regulations or how they are being interpreted. It is being provided to assist future applicants in preparing environmental reports that are submitted with license renewal applications. As such, we are interested in receiving comments on the proposed LR-ISG. The staff plans to incorporate this guidance into a future update of NUREG-1555, *Standard Review Plans for Environmental Reviews for Nuclear Power Plants, Supplement 1: Operating License Renewal*. Because this LR-ISG provides documentation of the existing acceptance review practice in accordance with existing regulations, the staff did not perform a backfit evaluation.

D. Lochbaum

-2-

A notice relating to this proposed LR-ISG will be published in the *Federal Register*. The staff is requesting your comments on the proposed LR-ISG as indicated in the *Federal Register* Notice. If you have any questions regarding this matter, please contact Ms. Jennifer Davis, by telephone at 301-415-3835 or by e-mail at jxd10@nrc.gov.

An identical letter was sent to Mr. Alexander Marion of the Nuclear Energy Institute for comment.

Sincerely,

/RA/

Pao-Tsin Kuo, Acting Director
Division of License Renewal
Office of Nuclear Reactor Regulation

Project No. 690

Enclosure:
As stated

cc w/encl: See next page

Letter to A. Marion and (identical sent to D. Lochbaum) from P.T. Kuo, dated February 8, 2007

SUBJECT: PROPOSED LICENSE RENEWAL INTERIM STAFF GUIDANCE
LR-ISG-2006-02: STAFF GUIDANCE ON ACCEPTANCE REVIEW FOR
ENVIRONMENTAL REPORTS ASSOCIATED WITH LICENSE RENEWAL
APPLICATIONS

DISTRIBUTION:

HARD COPY:

DLR RF
R. Schaaf
L. Tran

E-MAIL:

PUBLIC
RidsNrrOd
RidsNrrAdro
RidsNrrAdra
RidsNrrAdes
RidsNrrDlr
RidsNrrDra
RidsNrrDnrl
RidsNrrDlrRebb
RidsNrrDlrReba
DLR Staff

PROPOSED LICENSE RENEWAL INTERIM STAFF GUIDANCE LR-ISG-2006-02:
STAFF GUIDANCE ON ACCEPTANCE REVIEW FOR ENVIRONMENTAL REPORTS
ASSOCIATED WITH LICENSE RENEWAL APPLICATIONS

Introduction

Each applicant for renewal of a license to operate a nuclear power plant is required to submit with its application a separate environmental report (ER) in accordance with Title 10 of the *Code of Federal Regulations* (10 CFR 54.23). As stated in 10 CFR 54.23, the ER must comply with the requirements of Subpart A of 10 CFR Part 51. The requirements governing the contents of an ER submitted at the operating license renewal stage are specified in 10 CFR 51.45 and 10 CFR 51.53(c). This License Renewal Interim Staff Guidance (LR-ISG) is being proposed to document the staff's practice in performing an acceptance review of ERs submitted as part of a license renewal application.

Background and Discussion

The NRC staff routinely reviews ERs against the requirements of 10 CFR 51.45 and 10 CFR 51.53(c) as part of the acceptance review of reactor license renewal applications. Staff review guidance governing reactor license renewal environmental reviews and the preparation of environmental impact statements is provided in NUREG-1555, *Standard Review Plans for Environmental Reviews for Nuclear Power Plants, Supplement 1: Operating License Renewal*.

In conducting its acceptance review, the staff also relies on the guidance provided to applicants in Regulatory Guide 4.2, Supplement 1, *Preparation of Supplemental Environmental Reports for Applications to Renew Nuclear Power Plant Operating Licenses*. The regulatory guide provides methods acceptable to the staff for implementing the provisions of 10 CFR 51.45 and 10 CFR 51.53(c). While conformance with the suggested format of the regulatory guide is not required, use of the guide is expected to ensure the completeness of the information provided, assist the NRC staff and others in locating information, and result in more efficient and timely NRC staff review.

Proposed Action

The acceptance review checklist for ERs submitted with license renewal applications, available via ADAMS at Accession No. ML063190452, will be incorporated into the next revision of NUREG-1555, Supplement 1. The acceptance checklist is intended to be a tool to ensure efficiency and consistency in the staff's acceptance reviews and ensure that all necessary components of license renewal stage ERs are submitted in accordance with governing regulations. As noted in the checklist instructions, the absence of any of the information recommended in Regulatory Guide 4.2, Supplement 1, would not require that supplemental information be provided prior to acceptance of an application; however, applicants should expect that the absence of such information may result in more intensive environmental audit activities and/or issuance of early requests for additional information to support the staff's review. The docketing and subsequent finding of a timely and sufficient application (including the ER) does not preclude NRC reviewers from requesting additional information as a review proceeds, nor does it predict the NRC's final determination regarding the approval or denial of a license renewal application. This proposed LR-ISG is not intended to substitute or re-interpret requirements outlined in 10 CFR 51.45 and 10 CFR 51.53(c). The checklist is expected to serve as a knowledge management tool for NRC staff members by specifying review criteria in a simplified, user-friendly format.

Enclosure

NUCLEAR ENERGY INSTITUTE

Project No. 690

cc:

Ms. Christine S. Salembier, Commissioner
State Liaison Officer
Department of Public Service
112 State St., Drawer 20
Montpelier, VT 05620-2601

Mr. James Ross
Nuclear Energy Institute
1776 I St., NW, Suite 400
Washington, DC 20006-3708

Mr. Frederick W. Polaski
Manager License Renewal
Exelon Corporation
200 Exelon Way
Kennett Square, PA 19348

Mark Ackerman
Project Manager, License Renewal
FirstEnergy Nuclear Operating Company
P.O. Box 4
Route 168 (Mail Stop BV-SGRP)
Shippingport, PA 15077

Mr. Paul Gunter, Director
Reactor Watchdog Project
Nuclear Information & Resource Service
6930 Carroll Avenue, Suite 340
Takoma Park, MD 20912

Mr. Hugh Jackson
Public Citizen's Critical Mass Energy
& Environment Program
215 Pennsylvania Ave., SE
Washington, DC 20003

Mary Olson
Nuclear Information & Resource Service
Southeast Office
P.O. Box 7586
Asheville, NC 28802

Talmage B. Clements

Manager - License Renewal
Progress Energy
P.O. Box 1551
Raleigh, NC 27602

Mr. Garry G. Young
Manager, License Renewal Services
1448 SR 333, N-GSB-45
Russellville, AR 72802

Mr. William Crough, Manager
Licensing and Regulatory Affairs
Browns Ferry Nuclear Plant
Tennessee Valley Authority
P.O. Box 2000
Decatur, AL 35609

Robert A. Vincent
Licensing Lead - License Renewal Project
Palisades Nuclear Plant
27780 Blue Star Memorial Highway
Covert, MI 49043