March 9, 2007

MEMORANDUM TO: Doug W. Weaver, Branch Chief
Guidance, Infrastructure and Financial Review Branch
Division of New Reactor Licensing
Office of New Reactors

FROM: William D. Reckley, Project Manager ***/RA/***
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SUBJECT: SUMMARY OF FEBRUARY 21, 2007, PUBLIC MEETING WITH INDUSTRY'S NEW PLANT WORKING GROUP

On February 21, 2007, the Nuclear Regulatory Commission (NRC) staff met in a public meeting with representatives from the new plant working group. The new plant working group consists of management representatives from potential applicants, reactor vendors, and the Nuclear Energy Institute (NEI) and meets periodically with NRC managers to discuss issues related to the licensing of new nuclear power reactors. A list of meeting attendees is enclosed.

The attendees discussed the NRC fiscal year 2007 budget recently passed by Congress and the impact of operating under a continuing resolution for the first half of the fiscal year. Some pre-application discussions to support the NRC's environmental reviews were delayed as a result of a lack of funds and the NRC is now attempting to renew those discussions with specific applicants. The NRC discussed a planned regulatory issue summary (RIS) that would request information on expected combined license applications and related construction schedules. Such information is important in formulating the assumptions for future NRC budgets. Applicants that consider such information to be confidential commercial or financial information may request withholding of their plans under the provisions of 10 CFR 2.390, "Public inspections, exemptions, requests for withholding."

The meeting included a short discussion of design acceptance criteria (DAC) with the NRC recommending a desire to resolve DAC as soon as practical by using tools such as technical reports. Separate meetings on this topic will be coordinated through the design center working groups (DCWGs) and will include interfaces with the construction inspection program (CIP) and inspections, tests, analyses, and acceptance criteria (ITAAC).

The NRC briefly discussed a proposal to use an expanded period (e.g., 60 versus 30 days) following receipt of a combined license application to perform an acceptance review and to prepare application-specific review plans and schedules.

The meeting participants also had a brief discussion of the various forums available to present and discuss issues related to combined license applications. In addition to the routine design center and new plant working group meetings, the staff and managers need to consider meetings and conferences such as the NRC's regulatory information conference, the annual utility working conference, and American Nuclear Society and other professional society conferences. The possibility of NEI-sponsored workshops was also mentioned.

The NRC staff provided a status report on current applications for early site permits and reactor design certifications as well as the updating of the standard review plan (SRP) and regulatory guides. Some members of the new plant working group expressed concerns regarding specific regulatory guides as well as concerns on the use of the regulatory guides by the NRC staff in terms of forcing compliance on both new and operating plants. Additional concerns were expressed about the criteria used to initiate updates of regulatory guides.

The new plant working group provided information on the required coordination of items related to operator licensing and the design, procurement and testing of simulators to support operation of new plants. Several applicants expect to need operational simulators by 2010 which would in turn require timely resolution of issues and finalization of designs on digital instrumentation and controls (I&C) and control room layouts. While acknowledging existing working groups on digital I&C, the meeting participants thought that additional meetings to ensure appropriate consideration and coordination of activities related to design, licensing, construction, and operator training and licensing. It was agreed that meetings between the NRC and industry will be arranged in the relatively near future through either the design center working groups or NEI. The topic will be discussed during a digital I&C steering group meeting on March 26, 2007.

Members of the new plant working group expressed surprise about recent invoices received from the Department of Homeland Security (Federal Emergency Management Agency (FEMA)) related to emergency preparedness reviews for sites included in the NRC status of new plants (based on letters of intent from potential applicants). They identified possible changes to the FEMA billing process to reflect site differences (i.e., sites with existing approved emergency plans versus new sites). The members of the new plant working group are expected to raise their issues directly to FEMA.

The new plant working group briefly discussed the need to resolve seismic issues related to high frequency motions and proposed to submit an NEI white paper to address this issue. The topic will be discussed during a meeting planned for March 1, 2007, with the AP-1000 design center working group on geotechnical and seismic design issues.

The NRC staff expressed a need to have further discussions with the industry on quality assurance related to new plants. The NRC needs to develop programs related to quality assurance reviews and inspections and the industry also has a task force assessing issues such as procurement from foreign vendors. The participants agreed to arrange a separate meeting between the industry and NRC staff (through a design center working group or NEI) within the next few weeks (tentatively set for week of March 26). The NRC staff and new plant working group agreed to include the Nuclear Procurement Issues Committee (NUPIC) in future discussions and meetings.

The meeting participants briefly discussed the issue of the expected level of detail in combined license applications. The topical reports submitted thus far were identified as a useful mechanism to resolve level of detail questions prior to submitting combined license applications. Several examples (e.g., the discussions of radioactive waste systems during a workshop on February 1, 2007) were raised where the applicants and NRC staff seemed to have differing expectations on the level of detail and timing of information to be provided to support a combined license application. It was agreed that such cases would continue to be raised and discussed during meetings of the design center working groups.

The next meeting between the new plant working group and the NRC staff will be scheduled for May 2007.

Enclosure: List of Attendees

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The next meeting between the new plant working group and the NRC staff will be scheduled for May 2007.

Enclosure: List of Attendees

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New Plant Working Group Meeting
February 21, 2007
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Jim Lyons	NRC/NRO/DSER
Phyllis Bower	NRC/NRO/DNRL
Stephanie Coffin	NRC/NRO/DNRL/NWE1
Doug Weaver	NRC/NRO/DNRL/NGIF
Bill Reckley	NRC/NRO/DNRL/NGIF
Adrian Heymer	NEI
Russ Bell	NEI
Leslie Kass	NEI
Alan Nelson	NEI
James Fisicaro	NEI
Scotty Hinnant	Progress Energy
J. A. (Buzz) Miller	Southern Nuclear
Marvin Smith	Dominion
Marilyn Kray	Nustart
Bryan Dolan	Duke Energy
Terry Pickens	Xcel Energy
Steven Hucik	GE Nuclear Energy
A. E. Scherer	SCE
Ed Cummins	Westinghouse
Ron Clary	SCE&G
Richard Hill	Southern Nuclear
Tim Cleary	Progress Energy
Joe Mihalcik	Constellation Energy/Unistar
Ron Affolter	Averva

Enclosure

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Gary Vine	EPRI
Robert Regan	DTE Energy
Mark Giles	Entergy
Tom Mulford	EPRI
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Paul Hinnenkamp	Entergy
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