



NUCLEAR ENERGY INSTITUTE

Thomas C. Houghton
DIRECTOR
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June 26, 2007

Ms. Christiana Lui
Mail Stop T10-K8
U.S. Nuclear Regulatory Commission
Washington, DC 20555

Subject: Draft U.S. NRC Long-Term Research: FY 2009 Activities

Project Number: 689

Dear Ms. Lui:

The Nuclear Energy Institute (NEI)¹ submits these comments on behalf of the nuclear energy industry in response to the request for comments on the draft document forwarded by Dr. Brian Sheron's letter of 16 May 2007, "*U.S. Nuclear Regulatory Commission Long Term Research: FY2009 Activities.*" We appreciate the opportunity to review and comment on NRC's research programs.

The Electric Power Research Institute is the U.S. electric industry's research and development organization. Accordingly, NEI relies on EPRI for technical support in addressing regulatory issues in our interactions with the NRC. NEI supports the comments submitted by EPRI in their letter dated June 18, 2007.

NEI has a longstanding interest in NRC's research program. NEI staff participated in the 2000-2001 Expert Panel review cited in your report. We recognize the importance of a research program at NRC, as well as the need to maintain a skilled cadre of technical experts in the key technical fields of research, with the capability to respond to emerging issues as they arise.

NEI believes that the primary focus of the NRC Research Program should be on the current and emerging issues of the day; i.e., shorter term research should take priority over longer term research at NRC. This is in part due to the statutory responsibility of DOE and industry for longer term research, especially of a developmental nature, and in part due to our belief that regulatory

¹ NEI is the organization responsible for establishing unified nuclear industry policy on matters affecting the nuclear energy industry, including the regulatory aspects of generic operational and technical issues. NEI's members include all utilities licensed to operate commercial nuclear power plants in the United States, nuclear plant designers, major architect/engineering firms, fuel fabrication facilities, materials licensees, and other organizations and individuals involved in the nuclear energy industry.

Ms. Christiana Lui

June 26, 2007

Page 2

effectiveness and efficiency is best served by a research program that is focused on resolving the open and emerging technical issues.

NRC's Office of Nuclear Regulatory Research (RES) should never find itself in the position of being on the critical path for one of NRC's Program offices completing action on an important regulatory decision. Therefore, RES needs to place top priority on those issues that are currently awaiting data or a scientific basis for resolution. RES must also be sufficiently forward-looking to recognize issues that will take multiple years of work to resolve and start early to create the regulatory basis for resolution.

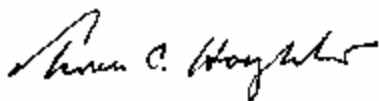
In the case of the proposed long term research program, NEI agrees with EPRI that most of the proposed areas of long term research have a reasonable technical foundation. NEI supports the recommendation that much of the long term research agenda can be satisfied with limited scoping studies, literature searches, efforts such as workshop participation to ensure cognizant research staff are familiar with advanced technologies that are likely to be requested by industry for application in nuclear plants, etc. As a means of focusing NRC resources on the most important work, expensive contractor-based long-term research projects should be avoided.

In cases where the application of a long term research effort is limited to a small number of users, the cost of those research projects should be borne by the future applicants via Part 170 fees, not by operating plants via Part 171 fees. This is the case with NRC research aimed at supporting DOE programs such as GNEP and GEN IV.

As another effective cost-management strategy, NRC should not be creating its own research facilities. Doing so would not be consistent with the Energy Reorganization Act (ERA) of 1974, which created the NRC's Research Programs. The ERA stated that "... it is not intended that the Commission build its own laboratories and facilities for R&D, or try to duplicate the R&D responsibilities of ERDA [now DOE]."

NEI strongly supports the MOU between RES and EPRI as a means of avoiding redundant, duplicative or conflicting research efforts aimed at collecting the same data to resolve the same issues. NEI believes that the MOU provides ample protection against any stakeholder concerns about NRC independence, since the MOU limits cooperation to the data collecting phase of research and precludes follow-on cooperation that could get into the regulatory decision process.

Sincerely,

A handwritten signature in black ink, appearing to read "Thomas C. Houghton". The signature is fluid and cursive, with the first name "Thomas" being more prominent.

Thomas C. Houghton