

October 11, 2007

MEMORANDUM TO: William D. Reckley, Branch Chief
Rulemaking, Guidance, and Advanced Reactors Branch
Division of New Reactor Licensing
Office of New Reactors

FROM: Sheryl A. Burrows, Project Manager */RA/*
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SUBJECT: SUMMARY OF AUGUST 8 - 9, 2007, DISCUSSION WITH
INDUSTRY ON RECENT GUIDANCE FOR COMBINED LICENSE
APPLICATIONS PUBLIC MEETING

On August 8 and 9, 2007, the U.S. Nuclear Regulatory Commission (NRC) staff held a Category 2 public meeting to solicit feedback from stakeholders regarding recent guidance issued for combined license (COL) applications. A list of attendees is provided as Enclosure 1. The meeting agenda is provided as Enclosure 2.

A summary of the discussions, following the order provided in the attached agenda, are as follows:

- Representatives from the Nuclear Energy Institute (NEI) provided a status on topical reports currently under review by the NRC staff and work in progress at NEI. NEI is preparing responses to the staff's requests for additional information (RAIs) and will be submitting templates to address several topics related to radiation protection program. A summary is provided in Enclosure 3.
- NEI stated that they plan to participate in the September 22, 2007, briefing to the Commission on the status of new reactors. Both NEI and NRC staff expressed a desire to resolve or establish a plan to resolve as many issues as possible before the planned Commission meeting.
- The NRC presentation on operational programs is provided as Enclosure 4. NEI requested and NRC agreed to go through the list of operational programs provided and come to a common understanding with respect to which were resolved, on a success path, or needed additional short-term attention to reach consensus.

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- The NRC presentations on inservice inspection (ISI) and inservice testing (IST) are provided as Enclosures 5 and 6. The industry provided three draft safety analysis report sections related to ISI and IST (a so-called straw man proposal), which are provided as Enclosures 7, 8, and 9. Subsequent conference calls were held on the straw man proposals and the staff provided the comments provided in Enclosures 10 and 11. The NRC staff and industry (represented by NuStart) plan additional discussions on the descriptions of IST/IST programs in COL applications.
- The NRC's presentation on probabilistic risk assessment (PRA) (Enclosure 12) focused on guidance and NRC expectations for plant specific PRAs and COLAs. NEI and the NRC staff agreed to have discussions in the future regarding new requirements for a Level 1 and Level 2 PRA for new applicants. Additional discussions and clarifications, in the form of interim staff guidance, are being prepared for the PRA area.
- The NRC opened the second day with discussions on its planning and scheduling for COL application reviews. The staff provided a generic planning schedule by phase and chapter and reiterated the importance for applicants to provide accurate submittal schedules. Meetings to discuss COL application and NRC review schedules are being held with specific applicants.
- NEI made presentations to the NRC staff on Fitness for Duty and New Plant Security. These presentations are provided as Enclosures 13 and 14.
- Specific sessions were held to discuss several regulatory guides (RGs) identified in letters from NEI as being of concern to the industry. Presentations related to these RGs are provided as Enclosures 15 and 16. Another session was held regarding branch technical position (BTP) 7-12 on instrumentation setpoints (see Enclosure 17). The NRC subsequently addressed the NEI letter on the RGs in a letter to A. Heymer (NEI) dated August 22, 2007 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML072330563). NEI comments regarding RG 4.15, "Quality Assurance for Radiological Monitoring Programs (Inception through Normal Operations to License Termination) – Effluent Streams and the Environment," were discussed during a September 20, 2007 Category 2 Public Meeting with NEI on New Reactor Health Physics Topics. The NRC staff responded to the industry comments on BTP 7-12 in a letter dated August 21, 2007 (ADAMS Accession No. ML072070076).

- Prior to the meeting, NEI submitted a letter (ADAMS Accession No. ML072420201) with a proposal to address inspections, tests, analyses, and acceptance criteria (ITAAC) for engineered backfill for new reactor sites. The staff provided several comments on the proposal and will address the matter further as part of the limited work authorization (LWA) application submitted for the Vogtle site.

Enclosures:

As stated

cc w/o encl: See next page

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As stated

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