May 30, 2008

Mr. Adrian P. Heymer, Senior Director
New Plant Deployment
Nuclear Generation Division
Nuclear Energy Institute
1776 I Street, Suite 400
Washington, DC 20006

SUBJECT: RESPONSE TO REQUEST FOR CLARIFICATION OF IMPLEMENTATION OF LIMITED WORK AUTHORIZATION RULE

Dear Mr. Heymer:

I am responding to your letter dated March 7, 2008, to James Lyons, Director of the Division of Site and Environmental Reviews, which requested that the Nuclear Regulatory Commission (NRC) provide its rationale for the requirement to separate the environmental impacts of construction and preconstruction activities in the Environmental Report submitted as part of the application for a Combined License (COL). On March 11, 2008, the NRC staff made a presentation on the limited work authorization (LWA) rule at the Regulatory Information Conference. On April 8, 2008, the NRC issued draft Interim Staff Guidance (ISG) on LWAs for COLs. On May 8, 2008, the NRC staff made a presentation on the LWA ISG at a public meeting on generic COL issues. The NRC staff discussed these issues with the Nuclear Energy Institute (NEI), COL applicants, and other external stakeholders during these meetings and during onsite environmental audits as part of the NRC's review process for COL applications. We believe that the draft ISG and the subsequent discussions with NEI and other external stakeholders have provided the NRC staff's positions on the issues raised in your March 2008 letter. However, the comments provided on the draft ISG by NEI and other external stakeholders show that additional discussions would be useful. Therefore, the NRC staff has scheduled a public workshop on implementation of the LWA rule for June 12, 2008, in the vicinity of Rockville, Maryland. This workshop will provide an opportunity for all stakeholders to share their views on LWA rule implementation issues.

Sincerely,

/RA/

Nilesh Chokshi, Acting Director
Division of Site and Environmental Reviews
Office of New Reactors
U.S. Nuclear Regulatory Commission

Project No. 689

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