

September 10, 2008

Mr. Russell J. Bell, Director
New Plant Licensing
Nuclear Generation Division
Nuclear Energy Institute
1776 I Street, NW, Suite 400
Washington, DC 20006-3708

SUBJECT: RESOLUTION OF QUESTION POSED BY INDUSTRY AT THE JULY 24, 2008,
PUBLIC MEETING ON GENERIC ISSUES RELATED TO COMBINED LICENSE
APPLICATIONS

Dear Mr. Bell:

At a July 24, 2008, public meeting on issues generic to combined license applications (COLAs), a discussion was held with the Nuclear Energy Institute (NEI), the Federal Emergency Management Agency (FEMA), the U.S. Nuclear Regulatory Commission (NRC), and industry representatives on a NEI proposed process for handling requests for additional information (RAIs) from FEMA on offsite, State and local, emergency plans (EPs) associated with COLAs. This presentation is included as part of the meeting summary (see ADAMS No. ML082120068). During this discussion, a question was posed concerning to whom the applicant should address responses to RAIs from FEMA on offsite EPs. More specifically, industry representatives asked if these responses need to be submitted to the NRC in accordance with established procedures under the 10 CFR Part 52 licensing process.

The NRC staff has determined that if the applicant is answering FEMA's questions, for the purpose of FEMA's review, and the applicant's responses are not being submitted to the NRC for the NRC's review of the application, then the responses should be submitted under FEMA's established process, and do not need to be in accordance with procedures for submission to the NRC. However, in such cases, the NRC requests to receive copies of the applicant's responses to the FEMA RAIs.

If you have any questions or comments regarding this matter, please contact Ms. Sheryl A. Burrows by telephone at (301) 415-6086 or by e-mail at Sheryl.Burrows@nrc.gov.

Sincerely,

/RA/

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

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Office of New Reactors

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