

NRCREP Resource

From: REED, Joseph [jsr@nei.org] on behalf of HEYMER, Adrian [aph@nei.org]
Sent: Friday, September 26, 2008 11:52 AM
Subject: Industry Comments on August 21, 2008 Supplemental Interim Staff Guidance for Limited Work Authorizations (LWA)
Attachments: 09-26-08_NRC_Industry Comments on August 21 Supplemental Interim Staff Guidance for Limited Work Authorizations .pdf

September 26, 2008

Chief, Rules and Directives Branch
Office of Administration
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

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Subject: Industry Comments on August 21, 2008 Supplemental Interim Staff Guidance for Limited Work Authorizations (LWA)

Project Number: 689

The Nuclear Energy Institute (NEI) is pleased to provide these industry comments on the subject draft Supplemental Interim Staff Guidance (ISG).

As a result of the June 12, 2008 public meeting, we appreciate the development of the supplemental guidance addressing several key examples of preconstruction activities and the opportunity to provide comments on such guidance. We understand that the final ISG will reflect consideration of these comments as well as those we submitted on May 8, 2008 on the original March 31, 2008 draft ISG.

The industry agrees that the delineation of preconstruction activities may often depend on design and site-specific factors. We have two specific comments:

1. The section on Construction Crane Foundations and Support Pads contains the following wording: "A necessary excavation is an excavation that is sufficient to provide construction access to the structures within the definition of construction. Applicants will need to ensure that preconstruction activities are separate from and do not result in adverse interactions with construction related SSCs including influence on the stability (static and dynamic) analyses." For clarity, we recommend replacing this with:

"Necessary excavation is the portion of excavation that provides sufficient construction access to structures within the definition of construction. Necessary excavation includes overexcavation dictated by the design of the engineered fill supporting the structures, but does not include excavation for access ramps, slope stabilization, or stormwater control features. Necessary excavation does not include areas of the excavation where structures, such as construction crane foundations and support pads, have no adverse interaction with construction related SSCs, including influence on the stability (static and dynamic) analyses. Such activities outside the necessary excavation may be considered preconstruction."

We expect that the determination of the "necessary excavation" will depend on design and site-specific factors determined on a case-by-case basis by individual applicants.

SUNSI Review Complete
Temp Note = ADM-013

1 E-RFDS = ADM-03
Add = J. Wilson (JNW)

2. Where the supplemental guidance says applicants may “make the case” that a particular activity is preconstruction, we suggest modified wording that applicants may “justify that the activity is preconstruction and thus not within the scope of construction.”

As discussed in the public meetings, we agree that for initial applicants, there is a need for a mechanism to confirm that applicants have properly applied guidance on permissible preconstruction activities. NEI confirms that it will serve as a conduit for applicants to identify specific examples of preconstruction activities to the NRC. Examples will be forwarded to the NRC as they are received until November 30, 2008. We understand that the NRC staff will provide feedback, as necessary, on whether or not the examples reflect proper categorization as preconstruction.

If you have any questions about the industry comments, please contact me or Russ Bell (202-739-8087; rjb@nei.org).

Sincerely,

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NUCLEAR ENERGY INSTITUTE

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NEW PLANT DEPLOYMENT
NUCLEAR GENERATION DIVISION

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

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Sincerely,



Adrian P. Heymer

c: Mr. William Reckley, U.S. Nuclear Regulatory Commission
Ms. Nanette Gilles, U.S. Nuclear Regulatory Commission
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