

February 10, 2009

Mr. Russell Bell, Director
New Plant Licensing
Nuclear Generation Division
Nuclear Energy Institute
1776 I Street, NW Suite 400
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SUBJECT: UPDATE OF NRC GUIDANCE ON ELECTRONIC APPLICATION SUBMITTALS

Dear Mr. Bell:

The Nuclear Regulatory Commission (NRC) recently issued Revision 4 to the Guidance for "Electronic Submissions to the NRC." This document provides instruction for applicants for new reactor licensing in Chapter 8, "New Reactor-related Application Submittals" pertaining to an Optical Scanning Media (OSM) submission. The guide may be found under "Electronic Submittals," which is under "Business with NRC" on the NRC's public webpage. An essential component for the successful receipt and processing of an OSM submission is the use of the XML packing slip, which comprehensively identifies the contents of the submission, in the root folder of the submission. To assist applicants in the development of the XML packing slip, the NRC developed and recently revised the Packing Slip Wizard.

The NRC has made the revised Packing Slip Wizard, Version 1.10 available for download from the NRC Public website. The NRC Agencywide Documents Access and Management System (ADAMS) was recently upgraded, and therefore, all applicants utilizing the electronic submission format should use this latest version of the Packing Slip Wizard. Applications which are not compliant with the latest version of the wizard can not be processed into ADAMS in a timely fashion.

To clarify discussions between the Nuclear Energy Institute and NRC staff during recent Generic Topics Meetings, the NRC routinely designates State and local emergency plans included in applications as "Non-publicly Available" within ADAMS. The staff adopted this practice based on our experiences and we withhold the State and local plans even if those plans are not marked as sensitive or are requested to be withheld by applicants. The NRC will, if requested by the public, review the state and local plans and make a determination on whether they should be released into the public domain. This practice has, however, created some problems since it results in a difference between the public version of the application submitted and the version made public by the NRC. We request that applicants use the packing slip wizard to reflect this NRC practice and facilitate the processing of the applications into ADAMS. When using the Packing Slip Wizard, this is accomplished when a value for "Sensitivity" is supplied in the PDF Document "Custom" properties, and the "Sensitivity" value is set to "Sensitive-Federal, State, Foreign Government, and International Agency Controlled."

Additionally, we strongly encourage applicants that are revising and updating combined license (COL) applications, to contact the responsible NRC Project Manager prior to submitting the revision to verify that all prior redactions made by the NRC staff are reflected in the submittal. This will assist in the protection of sensitive information, facilitate the staff's review, and help ensure consistent treatment of information.

We encourage ongoing discussions and the appropriate documentation of applicant electronic submittals using the Optical Scanning Device media Packing Slip Wizard. If you have questions regarding electronic submittals and the use of the Packing Slip Wizard, please call Stephen S. Koenick at (301) 415-1239. Questions from DC or COL applicants should be directed to their designated project manager in the Office of New Reactors.

Sincerely,

/RA/

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

R. Bell

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(Revised 02/02/2009)

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