



**Anthony R. Pietrangelo**  
VICE PRESIDENT  
REGULATORY AFFAIRS

March 24, 2009

Mr. Michael Johnson  
Director  
Office of New Reactors  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555

**Subject:** Industry Input on Combined Operating License and Design Certification Reviews

**Project Number: 689**

Dear Mr. Johnson:

Over the last several months, there have been numerous discussions between U.S. Nuclear Regulatory Commission (NRC) staff and NEI's New Plant Working Group regarding NRC budget and schedules for reviewing new plant applications. The purpose of this letter is to provide an industry perspective on these important activities.

When the NRC established the Office of New Reactors (NRO) in 2006, it was in anticipation of receiving a number of combined license (COL) applications for new nuclear energy facilities and reactor design certifications. Today, the agency is reviewing 17 COL applications and four design certifications. To support its planning activities, the NRC has annually requested and received information from new-plant applicants on the status of their projects. We believe these requests for information should continue and will ensure that the NRC is sufficiently apprised of the status of these projects to support its budgeting, planning and management of new-plant reviews. To this end, all applicants should provide timely notification to the NRC if their plans change.

We also note that as recently as last week, Chairman Klein stated publicly that the NRC has sufficient resources to conduct its activities to support new-plant operation. While we understand that there may be instances when specialized technical resources may be insufficient to support parallel reviews, it is critical to the success of all projects that NRC review activities are completed consistent with the schedules established by the agency and the applicants.

Mr. Michael Johnson

March 24, 2009

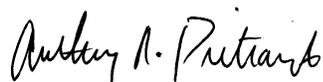
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In this regard, we offer the following input:

- In cases where limited technical resources necessitate a change in schedule, we recommend that the NRC notify the affected applicant(s) of the impacts of the change. While we believe that these cases should be rare, should they occur, a key consideration in assigning temporary priority should be the timing of the design certifications and reference COLs as they relate to the need for nearer-term baseload generation. We understand, however, that once design certifications and reference COLs are approved, process efficiencies will be gained such that the overall schedule for subsequent reviews should be improved and there should be substantially lower NRC review fees.
- The industry priority is on the licensing, construction and operation of the Advance Light Water Reactors (ALWR) under review by the staff today. While we support the review of other new reactors, such as Next Generation Nuclear Plants and small reactors, these reviews should not impact, or be at the expense of, the ALWR reviews.
- While we understand that the NRC will need to address resource allocation for the Construction Inspection Program, we would not expect these resources to impact the expertise required for design certification or COL reviews.

We trust this perspective will be useful to the NRC staff as it proceeds with its critical review activities. We would be happy to meet with you to discuss any implementation details. If you have any questions, please contact me or Doug Walters (202-739-8093; djw@nei.org).

Sincerely,



Anthony R. Pietrangelo