



NUCLEAR ENERGY INSTITUTE

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Office of New Reactors  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555-0001

**Subject:** Change Processes for New Plants

**Project Number: 689**

In connection with ongoing implementation of design certifications, combined licenses, and early site permits (ESPs)/limited work authorizations (LWAs), questions have arisen related to the change control processes for new plants licensed under 10 CFR Part 52. To address these questions, the Nuclear Energy Institute (NEI) is initiating the following efforts.

First, we are developing a document similar to NEI 96-07, *Guidelines for 10 CFR 50.59 Implementation*, Revision 1, to provide guidance on implementing the Part 52 change control processes. Like NEI 96-07, the new document would provide guidance on screening and evaluating proposed changes to determine if prior NRC approval is required and if so, the implementation activities that may be performed prior to approval of the license amendment request. While NEI 96-07 is focused on changes undertaken during operation, we believe the existing definitions and guidance can be readily adapted for new plant construction and operation. For example, we expect that the existing guidance in Section 4.5 of NEI 96-07 would provide the basis for new guidance on when a change during construction is considered "implemented" and the extent of implementation activities that may be performed prior to approval of a license amendment request.

Any industry guidance on the change processes for new plants would, of course, need to address criteria unique to plants licensed under Part 52, such as consideration of the impact of proposed changes on ex-vessel severe accident analyses and the impact of a change on any associated Inspections, Tests, Analyses, and Acceptance Criteria (ITAAC). Our goal is to start working with the staff soon on proposed guidance and to submit an industry document to the NRC for endorsement before the end of this year.

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Second, we are considering what actions may be needed to ensure the availability of a change control process for construction activities performed under an LWA. Clarity is needed on the availability and applicability of the 50.59-like change control process to activities authorized under an LWA prior to issuance of a combined license. In the case of activities performed under an LWA that was issued as part of an ESP, it may be determined that rulemaking is necessary to amend 10 CFR 52.39(e) to establish a change control process for LWA activities.

As a first priority, we suggest an early focus on the extent of implementation activities that may be performed prior to approval of a license amendment request. This issue may affect near-term decisions by applicants on deferral of certain changes in accordance with ISG-11 until after the design certifications and combined licenses are issued.

We understand that the NRC has formed an internal working group to address these issues. We appreciate your commitment to that effort and will contact your staff soon to arrange a mutually convenient time for a public meeting on this subject. In the meantime, if you have any questions about the industry effort, please contact me or Kimberly Keithline (202-739-8121; kak@nei.org).

Sincerely,



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