



NUCLEAR ENERGY INSTITUTE

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DIRECTOR, NEW PLANT LICENSING  
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April 15, 2011

Mr. William F. Burton  
Rulemaking and Guidance Development Branch  
Division of New Reactor Licensing  
Office of New Reactors  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555-0001

**Subject:** Comments on NRC Revised Generic Combined License

**Project Number: 689**

Dear Mr. Burton:

The Nuclear Energy Institute (NEI)<sup>1</sup> appreciated the opportunity to meet with the U.S. Nuclear Regulatory Commission (NRC) staff on February 16, 2011, to discuss the NRC's most recent draft template for the generic combined license (COL). During the meeting, we indicated that we would follow up by sending you our written comments on the draft COL template. Those comments are provided in the attachment to this letter.

While we commend all of the comments to your attention, we ask that the staff note in particular NEI's proposed revisions to Section 2.H concerning expiration of the 10 CFR 50.109 provisions. During the public meeting on February 16, 2011, the NRC presented a revised draft model COL, which included a paragraph 2.H, as follows:

"This license is effective as of [insert actual date of license issuance] and shall expire at midnight on the date 40 years from the date that the Commission finds that the acceptance criteria in the combined license are met in accordance with 10 CFR 52.103(g). [Placeholder for expiration of the 10 CFR 50.109 provisions if the requirements of 10 CFR 52.103(g) have not been met within 10 years from the date of license issuance.]"

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<sup>1</sup> 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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We agree with the first sentence of license provision 2.H, above. However, for the reasons set forth in the attachment, the industry strongly disagrees with the placeholder sentence on expiration of 10 CFR 50.109 backfit provisions and requests that this sentence be deleted from the generic COL.

We look forward to continued discussion on the generic combined license template. Please contact me or Kimberly Keithline (202-739-8121, kak@nei.org) if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "RJ Bell", is positioned below the word "Sincerely,".

Russell J. Bell

Attachment

c: Ms. Nanette Gilles, U.S. Nuclear Regulatory Commission  
Mr. Robert Weisman, U.S. Nuclear Regulatory Commission  
Mr. Jerry Wilson, U.S. Nuclear Regulatory Commission  
NRC Document Control Desk