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January 22, 2014

Mr. Michael E. Mayfield  
Director  
Division of Advanced Reactors and Rulemaking  
Office of New Reactors  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555-0001

**Subject:** NEI Comments on Proposed Regulatory Guide (RG) 1.206 Revision

**Project Number: 689**

Dear Mr. Mayfield:

On behalf of the nuclear energy industry, the Nuclear Energy Institute (NEI)<sup>1</sup> provides the following comments on the staff's plans for revising Regulatory Guide (RG) 1.206, "Combined License Applications for Nuclear Power Plants (LWR Edition)." The NRC staff, in a September 17, 2014, public meeting, requested stakeholder input on the staff's organization, plans and draft revisions provided to date for the update of RG 1.206.

We support the NRC staff initiative to update RG 1.206 as a key step in preparing for the next wave of new plant applications, including small modular reactors. Clear regulatory guidance is essential to providing the NRC with design certification and combined license applications (DCAs and COLAs) that are complete and provide the basis for greater certainty in NRC application review schedules. In general, the proposed scope and organization of the RG 1.206 revision appears on track to provide the necessary guidance for future applicants, as well as a useful tutorial for applicants that may be less familiar with the NRC process. The attachment provides general and specific comments for staff consideration and discussion at our next public meeting as well as input for staff consideration as it develops additional revisions to RG 1.206.

We understand that the NRC will roll out additional draft sections of the RG 1.206 update as they are completed and provide additional opportunities for stakeholder discussion and comment. We agree that, based on past experience and to support specific near-term needs of applicants, priority should be given to

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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 cycle facilities, nuclear materials licensees, and other organizations and entities involved in the nuclear energy industry.

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certain sections over others. For example, we understand that the staff is focusing first on Appendix A (COLA Final Safety Analysis Report form and content) and selected Policy and Regulatory Topics to be discussed in Section C.2. In this regard, we recommend that priority be given to the following sections:

- Section C.2, Applications – Policy & Regulatory Topics, Application Acceptance Review. This section is expected to include DCA acceptance guidance currently provided in Office Instruction NRO-REG-100. We appreciate that NRC recently made NRO-REG-100 publicly available and look forward to providing feedback for the staff's consideration.
- Section C.2, Applications – Policy & Regulatory Topics, RAI Process. Enhancements to the request for additional information (RAI) process and improved common understanding of its use present significant opportunities to improve the efficiency, safety focus, and performance to schedule of future design certification and COLA reviews.

As noted at the September 17 public meeting, we look forward to discussing these topics with the NRC staff and to seeing the staff's overall schedule for rollout and stakeholder engagement on additional draft sections of the RG 1.206 update. Understanding the staff's overall plans and schedule is important to assure that additional topics of greatest interest to prospective applicants are prioritized and to assure that industry and NRC resources are made available to support those discussions.

The NRC staff also discussed plans to seek Commission approval for a further Part 52 lessons learned rulemaking in parallel with the RG 1.206 revision. We support such a rulemaking as an important step to ensure regulatory requirements and application guidance are coherent and reflect recent licensing experience.

We look forward to continuing the discussion with the NRC staff on the revision to RG 1.206. If you have any questions concerning these industry comments or require additional information, please contact Kati Austgen (kra@nei.org; 202.739.8068) or me.

Sincerely,



Russell J. Bell

Attachment

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