

U.S. Nuclear Regulatory Commission Public Meeting Summary

May 6, 2015

Title: Meeting to Discuss the Proposed Financial Qualifications Requirements Included in the Draft Regulatory Basis for the Rulemaking on Financial Qualifications for Reactor Licensing

Meeting Identifier: 20150568

Date of Meeting: Wednesday, April 29, 2015

Location: NRC Complex, NRC One White Flint North, O16B-04

Type of Meeting: Category 3

Purpose of the Meeting:

To discuss draft Section 7, "Proposed Financial Qualifications Requirement," of the draft regulatory basis for the Financial Qualifications for Reactor Licensing Rulemaking. The U.S. Nuclear Regulatory Commission (NRC) staff may consider the feedback obtained during the meeting when finalizing the draft regulatory basis.

General Details:

The NRC conducted a public meeting to obtain feedback from stakeholders and members of the public on the proposed financial qualifications requirements for the Financial Qualifications for Reactor Licensing Rulemaking. The meeting was scheduled from 1:00pm - 3:00p.m. eastern standard time (EST), but was over at about 2:10pm. Seventeen NRC staff members were present. Mrs. Yanelly Malave provided the meeting logistics and ground rules. After that, Mr. Richard Turtill made the presentation on the proposed financial qualifications requirements. The slide presentation is available through Agencywide Documents Access and Management System (ADAMS). The ADAMS accession number of the slide presentation is ML15117A552. Meeting participants were encouraged to ask questions at the end of the presentation.

Approximately 7 people participated in the meeting; both in-person and remotely using a teleconference line. Four participants provided feedback and asked questions. In addition to members of the public, meeting participants included representatives of the Nuclear Energy Institute (NEI), Morgan Lewis, and Nuclear Innovation North America (NINA). No formal comments were solicited during the meeting.

Summary of Presentations:

The NRC staff started by providing background information on this rulemaking effort and the direction of the Commission as described in the staff requirements memorandum to SECY-13-0124, "Policy Options for Merchant (Non Electric Utility) Plant Financial Qualifications," dated April 24, 2014. A description of the content of the draft regulatory basis was provided; with emphasis on Section 7, which describes the proposed financial qualifications requirements (ADAMS Accession Number ML. ML15111A270). The NRC staff explained what is encompassed by the proposed financial qualifications requirements

and what will be expected from merchant applicants, utilities, non-power production and utilization facilities, license transfers, and change of status applications.

An additional public meeting will be held by the NRC after the completed draft regulatory basis document is published in the *Federal Register* for solicitation of comments.

Public Participation Themes:

During the brief public question and answer session of the meeting, NRC staff addressed questions on the following topics:

- Applicants that have gone through bankruptcy – NRC will consider this scenario when developing guidance;
- Schedule on guidance development – Guidance will be developed during the rulemaking process;
- New entities - NRC will consider this scenario when developing guidance on the financial capacity plan
- Review of license conditions – Review will be completed on case-by-case bases; however, an example of a license condition is provided in Section 7;
- Cost estimate – The application should have the best possible estimate to avoid major issues during the review of variances to the updated cost estimate; and
- Definition of construction – As defined in 10 CFR 50.2, "... the analysis, design, manufacture, fabrication, quality assurance, placement, erection, installation, modification, inspection, or testing of a facility or activity which is subject to the regulations in this part and consulting services related to the facility or activity that are safety related."

Action Items/Next Steps:

- No action items.

Attachments:

- Meeting agenda
- List of attendees

MEETING AGENDA

Meeting to Discuss the Proposed Financial Qualifications Requirements Included in the Draft Regulatory Basis for the Rulemaking on Financial Qualifications for Reactor Licensing

Location:

U.S. Nuclear Regulatory Commission
One White Flint North, Room: O-16B04
11555 Rockville Pike
North Bethesda, MD 20852

Wednesday, April 28, 2015
1:00pm – 3:00pm

<u>Time</u>	<u>Topic</u>	<u>Led by</u>
1:00pm - 1:10pm	Opening Remarks and Introductions	NRC/All
1:10pm - 1:40pm	Section 7, "Proposed Financial Qualifications Requirement"	NRC
1:40pm - 2:00pm	Discussion/Questions	All
2:00pm - 2:15pm	Break	
2:15pm - 3:00pm	Discussion/Questions	All
3:00pm	Meeting Adjourn	

LIST OF MEETING ATTENDEES

Name	Organization
Anne Cottingham	NEI
Anthony Bowers	NRC
Christina England	NRC
Dawn Forder	NRC
Deborah Jackson	NRC
George Tartal	NRC
George Wunder	NRC
J Matthews	Morgan Lewis
Joseph Colaccino	NRC
Kosmas Lois	NRC
Luis Betancourt	NRC
Michael Mayfield	NRC
Michael Spencer	NRC
Richard Turtill	NRC
Rocky Foster	NRC
Samuel lee	NRC
Sara Kirkwood	NRC
Scott Hean	NINA
Scott Morris	NRC
Steve Frantz	Morgan Lewis
Tom Tai	NRC
Yanely Malave	NRC
Members of the Public*	

* Participated by teleconference