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December 22, 2017

Dr. Andrew Bates
Chairman, LSNARP
Office of the Secretary
U.S. Nuclear Regulatory Commission

RE: December 18, 2017 email to LSNARP Members

Dear Dr. Bates:

This letter responds to your e-mail message dated December 18, 2017 to Susan Lynch and Robert Halstead (and presumably other primary and secondary representatives of the Licensing Support Network Advisory Review Panel (LSNARP)) requesting that the State of Nevada provide to the LSNARP certain information by January 2, 2018, specifically information applicable to the meeting of LSNARP members currently scheduled for January 30-31, 2018. First, and most important, Nevada has a serious concern about the preliminary agenda and timing of the scheduled meeting, given the very recent issuance of the NRC Staff's unsolicited LSN replacement/reconstitution options paper.

No one affiliated with Nevada, and to our knowledge, no other LSNARP member (besides NRC Staff) was made aware, until the email message of December 18th, that the NRC Staff had committed the resources necessary to (1) analyze options for reconstituting or replacing the LSN, (2) prepare a detailed written analysis of options, and (3) narrow the options to three (and a few sub-options). The NRC Staff is just one LSNARP member. It does not seem to have occurred to the NRC Staff that LSNARP members other than NRC Staff may want to propose their own options. Nevada may want to propose additional options and other members may wish to do so as well, similar to the process that was followed when the LSNARP was instrumental in developing the original and current systems. Yet the brief amount of time that is now available before the scheduled January 2018 meeting to consider the matter of additional options, to propose them for consideration, and to allow other members of the LSNARP to comment upon such additional options is insufficient, especially considering the level of detail apparently needed to produce an analysis comparable to that reflected in the NRC Staff's options paper. In fact, the brief amount of time now available is not even sufficient to prepare a detailed analysis of the options put forward by the NRC Staff. The time schedule is especially unrealistic considering the upcoming holidays. There are only 15 calendar days between the December 18th email message and the requested January 2nd response – a period of just 9 business days during a

time of year when many businesses and governments in the United States allow their personnel to take time off. The NRC Staff's approach here is in sharp contrast to its approach in seeking input on other Staff proposals like draft NUREGs and proposed rules where typically the public is given several months to comment. And, as a further point of reference, we would note that the development of the original LSS and the replacement LSN entailed advisory committee meetings and public comment periods that took place over a period of years, not days or months.

Accordingly, we request that the January 2018 LSNARP meeting be postponed (and a corresponding Federal Register notice be issued) until all of the members of the LSNARP can be asked whether they may wish to propose other options. Any consideration of options in an LSNARP meeting would be premature until the full suite of possible options is known. Alternatively, the meeting could go ahead as scheduled but the only agenda items would be whether other members wish to consider and propose other options and, if so, when such options could be developed and proposed.

If a January 2018 meeting is to be held, Nevada's secondary representative (Susan Lynch) plans to attend in person at NRC headquarters in Rockville, Maryland; Nevada's primary representative (Bob Halstead) will attend remotely. Nevada also plans to send three additional representatives to attend the meeting in person (Martin G. Malsch, Laurie Borski, and Steve Frishman). You should assume that everyone else on your contact list for Nevada (especially representatives from the Nevada Attorney General's Office) will attend remotely.

At this point, we are planning on sending only Martin Malsch, Susan Lynch and Laurie Borski to the post-meeting orientation at NRC headquarters. However it is possible other Nevada representatives may attend remotely. If the orientation session is held, we suggest that it be primarily an opportunity for individuals to pose questions about ADAMS LSN. At this time we have no other suggestions as to subject matter areas concerning the ADAMS LSN library that should be covered at the orientation session, but we reserve the right to make appropriate suggestions after we have had more time to prepare for the LSNARP meeting, if it is held.

Sincerely,



Robert J. Halstead
Executive Director

Cc: Office of Governor Brian Sandoval
Office of Attorney General Adam Laxalt
Senator Richard Bryan, Chairman, Nevada Commission on Nuclear Projects
LSNARP members

SECY, LSNARP

From: Susan Lynch <szeeee@nuc.state.nv.us>
Sent: Friday, December 22, 2017 1:08 PM
To: SECY, LSNARP
Subject: [External_Sender] State of Nevada response to NRC December 18 2017 email.pdf
Attachments: State of Nevada response to NRC December 18 2017 email.pdf

Please find attached the response from Executive Director Halstead re: the NRC December 18, 2017 memo re: LSNARP meeting

Susan W. Lynch, Administrator of Technical Programs

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