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Nuclear Power Plant Licensee Fees Upon Commencing Commercial Operation

Comment On: NRC-2019-0084-0003

Nuclear Power Plant Licensee Fees Upon Commencing Commercial Operation

Document: NRC-2019-0084-DRAFT-0006

Comment on FR Doc # 2019-12082

Submitter Information

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General Comment

See attached letter

Attachments

M190130 Comments to Proposed Rulemaking - Petition to Amend 10 CFR 171.15 Reactor Licenses and Independent Spent Fuel Storage Licenses



HITACHI

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M190130

July 10, 2019

Secretary, U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001
ATTN: Rulemakings and Adjudications Staff

Subject: Comments to Proposed Rulemaking – Petition to Amend 10 CFR 171.15, “Reactor Licenses and Independent Spent Fuel Storage Licenses”

References: 1) Vogtle Electric Generating Plant Units 3 and 4 Petition to Amend 10 CFR 171.15, “Reactor Licenses and Independent Spent Fuel Storage Licenses” (PRM-171-1, Docket ID NRC-2019-0084)

Dear Sir or Madam:

GE-Hitachi Nuclear Energy Americas (GEH), LLC, hereby submits comments in support of the referenced petition submitted by Michael Meier on behalf of Southern Nuclear Operating Company, and suggests additional comments on the proposed change. The petitioner requested revision of 10 CFR Part 171, the Nuclear Regulatory Commission (NRC) “Annual Fees” regulation, to change the timing of when annual license fees for holders of a combined license under 10 CFR Part 52 commence, to coincide with a licensee's commercial operation, rather than upon a 10 CFR 52.103(g) finding. In a letter dated June 27, 2019, the Nuclear Energy Institute (NEI) expressed support for the subject petition. GEH joins NEI in strongly endorsing the subject petition, further observes that the conditions set forth in the petition should apply equally to reactors licensed under 10 CFR Part 50, and suggests additional conforming changes to § 171.15, “Annual fees: Reactor licenses and independent spent fuel storage licenses.”

Attached are GEH’s specific comments for the proposed rule language.

Please contact me at (910) 200-9836 if you have any questions or would like to discuss this matter further.

Sincerely,

Michelle P. Catts
Senior Vice President, Regulatory Affairs

c: Mr. Fred Brown, NRO, NRC
Dr. Patricia Holahan, NMSS, Division of Rulemaking
Ms. Maureen Wylie, OCFO
NRC Document Control Desk

Attachment: 1. GEH Comments

Attachment 1

Proposed Revision

The following proposed changes to §§ 171.15(a) and in addition, 171.15(e)(1) (with additions underlined and highlighted, and deletions struck) align with the reasons for the rulemaking and the analysis of the proposed changes discussed in the Southern Nuclear Operating Company Petition PRM-171-1.

§ 171.15 Annual fees: Reactor licenses and independent spent fuel storage licenses.

(a) Each person holding an operating license for a power, test, or research reactor; each person holding an operating license issued under 10 CFR part 50 or a combined license under part 52 of this chapter, after the facility for which such license was issued has been declared available for commercial operation under applicable standards of the licensee or the state regulatory commission with jurisdiction over the facility;~~the Commission has made the finding under 10 CFR 52.103(g);~~ each person holding a part 50 or part 52 power reactor license that is in decommissioning or possession only status, except those that have no spent fuel onsite; and each person holding a part 72 license who does not hold a part 50 or part 52 license and provides notification in accordance with 10 CFR 72.80(g), shall pay the annual fee for each license held during the Federal fiscal year in which the fee is due. This paragraph does not apply to test or research reactors exempted under § 171.11 (a).

(e)(1) Each person holding an operating license for an SMR issued under 10 CFR part 50 or a combined license issued under 10 CFR part 52 after the facility for which such license was issued has been declared available for commercial operation under applicable standards of the licensee or the state regulatory commission with jurisdiction over the facility;~~the Commission has made the finding under 10 CFR 52.103(g),~~ shall pay the annual fee for all licenses held for an SMR site. The annual fee will be determined using the cumulative licensed thermal power rating of all SMR units and the bundled unit concept, during the fiscal year in which the fee is due. For a given site, the use of the bundled unit concept is independent of the number of SMR plants, the number of SMR licenses issued, or the sequencing of the SMR licenses that have been issued.