



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D.C. 20555-0001

May 3, 2023

MEMORANDUM TO: Michael I. Dudek, Chief  
New Reactor Licensing Branch  
Division of New and Renewed Licenses  
Office of Nuclear Reactor Regulation

FROM: Omid Tabatabai, Senior Project Manager **/RA/**  
New Reactor Licensing Branch  
Division of New and Renewed Licenses  
Office of Nuclear Reactor Regulation

SUBJECT: U.S. NUCLEAR REGULATORY COMMISSION SUMMARY OF  
THE APRIL 20, 2023, PUBLIC MEETING WITH NUSCALE  
POWER REGARDING CARBON FREE POWER PROJECT  
EARLY CONSTRUCTION PLANS

The U.S. Nuclear Regulatory Commission (NRC) staff held a virtual observation public meeting with NuScale Power, LLC (NuScale) and Carbon Free Power Project, LLC (CFPP) on April 20, 2023. The purpose of this meeting was for NuScale to present its plans for early construction at CFPP site.

The notice for this public meeting was posted on the NRC public website on April 10, 2023, and can be accessed on Agencywide Documents Access and Management System (ADAMS) Accession No. ML23100A081. NuScale's presentation slides were made available to members of the public prior to the meeting<sup>1</sup>.

This public meeting was requested by NuScale on behalf of CFPP LLC to discuss updated strategy and information related to the CFPP proposed limited work authorization (LWA) request that is planned to be submitted in July 2023. More specifically, the requested discussion during the meeting was in regard to the content of the safety analysis of the LWA as required by Title 10 of the *Code of Federal Regulations* 50.10(d)(3)(i).

CONTACT: Omid Tabatabai, NRR/DNRL  
301-415-6616

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<sup>1</sup> "Carbon Free Power Project (CFPP) Combined License Application (COLA) Presentation, CFPP Early Construction Update (Open Session)," PM-138484-NP, Revision 0, (ML23108A344)

NuScale began its presentation by providing an overview of presubmittal engagements to date regarding CFPP's early construction plans. These engagements included a pre-application meeting held on January 26, 2023<sup>2</sup>, a readiness assessment for the LWA Environmental Report, which began on March 20, 2023, and the CFPP's Regulatory Engagement Plan for Early Construction, dated March 22, 2023 (ML23081A094). NuScale stated that it plans to submit its combined license application (COLA) in two phases. Specifically, Phase 1 of the COLA will be an LWA to be submitted in July 2023, in accordance with the requirements of 10 CFR 50.10, and then the remainder of the information required for a COLA will be submitted in Phase 2 in January 2024. The staff agreed that this approach is allowed under the NRC regulations. Specifically, 10 CFR 2.101(a)(9) allows applicants for combined licenses the option of submitting either: (1) A complete application, or (2) a two-part application with part one including information required for the NRC to make a decision on the applicant's request to undertake LWA activities, and part two containing all other information required to obtain the underlying license.

Regarding the scope of the LWA, NuScale stated that the LWA request will cover the following activities: (1) the reactor and radioactive waste buildings' soft/fractured rock remediation, (2) reactor building mud mat (including vapor barrier), and (3) installation of reactor building basemat components up to but not including concrete placement. NuScale also discussed the bounding assumptions and relevant supporting information that the site characteristics are bounded by the site parameters described in the standard design approval application.

The NRC staff asked NuScale if they anticipate submitting any inspection, test, analysis, and acceptance criteria (ITAAC) as part of the LWA, and NuScale representatives responded that there will not be additional ITAAC as part of the LWA request. Members of the public asked several questions with respect to the LWA review process and its relationship to the COLA review. Specifically, members of the public inquired if there are public participation opportunities in the review of an LWA request and the staff explained that member of the public will have several opportunities to provide comments before a decision on the LWA request is made. These opportunities include staff's public meetings as part of the LWA review, mandatory hearing associated with the LWA request, any advisory committee on reactor safeguards meetings, and during the staff's development of an environmental impact statement for the LWA.

There were no presentation slides for the closed meeting. During the closed session NuScale provided additional information regarding "Table of Contents" for the LWA safety analysis report, specifically, what Chapters and Sections of the NUREG-0800, "Standard Review Plan for the Review of Safety Analysis Reports for Nuclear Power Plants: LWR Edition," would be applicable to the LWA request. The NRC staff inquired about the process that NuScale has used to determine which Sections of the NUREG-0800 are, or are not, applicable to the LWA. The staff requested NuScale to consider providing an explanation as to why certain Sections of the NUREG-0800 will not be addressed as part of the LWA safety analysis report.

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<sup>2</sup> ADAMS Accession No. ML23037A865.

At the conclusion of the meeting, the NRC and NuScale staff agreed to coordinate additional meetings in the future to discuss the details of CFPP's LWA request, specifically, the level of details required as part of the LWA request.

Docket No. 99902052

Enclosure:  
List of Attendees

cc w/enclosure: CFPP Listserv

SUBJECT: U.S. NUCLEAR REGULATORY COMMISSION SUMMARY OF THE APRIL 20, 2023, PUBLIC MEETING WITH NUSCALE POWER REGARDING CARBON FREE POWER PROJECT EARLY CONSTRUCTION PLANS  
DATED: MAY 3, 2023

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**\*via email**

**NRR-106**

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**U.S. NUCLEAR REGULATORY COMMISSION SUMMARY OF THE APRIL 20, 2023,  
CLOSED MEETING WITH NUSCALE POWER, LLC AND CARBON FREE POWER  
PROJECT, LLC**

**Meeting Attendees**

<b>Name</b>	<b>Organization</b>
Omid Tabatabai	U.S. Nuclear Regulatory Commission (NRC)
Zuhan Xi	NRC
Ian Tseng	NRC
Sherwin Turk	NRC
Stacy Joseph	NRC
David Drucker	NRC
Joe Gillespie	NRC
Chris Welch	NRC
John Volkoff	NuScale
Kyra Perkins	NuScale
Doug Schweers	NuScale
Susan Baughn	NuScale
Gary Becker	NuScale
Kevin Kostelnick	Fluor
Matthew Featherston	Fluor
Wayne Cutright	NuScale
Tamela Cohen	NuScale
Daniel F. Stenger	CFPP
Eric Woods	Fluor
Chris Maxwell	NuScale
Ken Rach	MPR
Peter Kissinger	Xcel Energy Nuclear Services
Scott Head	CFPP
Steve Roth	Fluor
Andrea Mota	NuScale
Michael Rosenmeier	Rizzo
Haydar Karaglu	NuScale
Jeff Kimball	Rizzo
Mark Shaver	NuScale
Pete Shaw	NuScale
James Zelhart	CFPP
Jason Weathersby	Fluor
Jeff Kimball	Rizzo
Beth Dalick	NuScale
Sarah Fields	Uranium Watch
Michael McAuliffe	S&P Global
Melissa Bates	DOE