

From: Steven Lynch
Sent: Thursday, June 22, 2023 3:54 PM
To: Mike Keller
Cc: Robert Taylor; John Lubinski; Mohamed Shams; John Segala; Christopher Cauffman; Robert Roche-Rivera; Michael Orenak; Joseph Sebrosky
Subject: Extension of Comment Period for Draft ARCAP and TICAP Draft Guidance Documents

Good Afternoon,

The U.S. Nuclear Regulatory Commission (NRC) received your comments on the nine Advanced Reactor Content of Application Project (ARCAP) interim staff guidance (ISG) documents and the Technology Inclusive Content of Application Project (TICAP) draft guide. Your comments were provided through the regulations.gov website and are in the process of being added to the Agencywide Documents Access and Management System (ADAMS) at the following accession numbers: ML23167A522, ML23167A482, ML23167A480, ML23167A039, ML23167A038, ML23167A034, ML23167A092, and ML23167A020.

Your comments include the following two requests:

- (1) "Include in regulations.gov, as downloadable files, all documents for which public comments are being solicited."
- (2) "Alter the Federal Register notices to establish a reasonable, staggered schedule for document review and comment by the public."

Regarding your first request, the regulations.gov website identifies the documents (the ARCAP ISGs and the TICAP DG) for which the NRC staff is seeking public comment. While the *Federal Register* notices for the ARCAP ISGs reference NRC-issued, approved, or endorsed documents, the NRC staff is only requesting comment on the ARCAP ISG's proposed use of the referenced documents, and not the referenced documents themselves. As such, the NRC staff will not be providing documents referenced in the ARCAP ISGs on regulations.gov as this could imply that the NRC staff is seeking comments on these documents.

Further, the NRC staff has previously issued for public comment all regulatory guides and some other documents (e.g., NUREG-2245) to which the ISGs refer. The NRC staff followed its normal processes for issuing all the documents to which the ISGs refer. You are correct that NRC processes do not call for the NRC staff to issue some documents for public comment. For example, NRC staff safety evaluations of topical reports, for are not issued for public comment. None of the documents to which the ISGs refer impose legal requirements on an applicant or licensee. Rather, these documents represent acceptable ways to meet NRC regulations. An applicant need not rely on them and may choose any acceptable method of compliance.

Regarding your second request, the NRC staff is extending the comment period for the ARCAP ISGs and TICAP DG (listed in the table below) from July 10, 2023, to August 10, 2023. The NRC staff will formally publish notification of the extension in the *Federal Register* and will update the regulations.gov website to reflect the new comment period closure date in the near term. The NRC staff does not intend to stagger the comment period for these documents because they reference each other, and a common

comment period allows stakeholders to holistically view the documents before providing feedback on an individual document.

Document Description	ADAMS Accession No.	Regulations.gov Docket ID No.
DG-1404, "Guidance for a Technology-Inclusive Content of Application Methodology to Inform the Licensing Basis and Content of Applications for Licenses, Certifications, and Approvals for Non-Light-Water Reactors."	ML22076A003	NRC-2022-0073
Draft Interim Staff Guidance DANU-ISG-2022-01 "Advanced Reactor Content of Application Project, 'Review of Risk-Informed, Technology Inclusive Advanced Reactor Applications - Roadmap.'"	ML22048B546	NRC-2022-0074
Draft Interim Staff Guidance DANU-ISG-2022-02, "Advanced Reactor Content of Application Project Chapter 2, 'Site Information.'"	ML22048B541	NRC-2022-0075
Draft Interim Staff Guidance DANU-ISG-2022-03, "Advanced Reactor Content of Application Project Chapter 9, 'Control of Routine Plant Radioactive Effluents, Plant Contamination and Solid Waste.'"	ML22048B543	NRC-2022-0076
Draft Interim Staff Guidance DANU-ISG-2022-04, "Advanced Reactor Content of Application Project Chapter 10, 'Control of Occupational Dose.'"	ML22048B544	NRC-2022-0077
Draft Interim Staff Guidance DANU-ISG-2022-05, "Advanced Reactor Content of Application Project Chapter 11, 'Organization and Human-System Considerations.'"	ML22048B542	NRC-2022-0078
Draft Interim Staff Guidance DANU-ISG-2022-06, "Advanced Reactor Content of Application Project Chapter 12, 'Post-Construction Inspection, Testing, and Analysis Program.'"	ML22048B545	NRC-2022-0079
Draft Interim Staff Guidance DANU-ISG-2022-07, "Advanced Reactor Content of Application Project, 'Risk-informed Inservice Inspection/Inservice Testing.'"	ML22048B549	NRC-2022-0080
Draft Interim Staff Guidance DANU-ISG-2022-08, "Advanced Reactor Content of Application Project, 'Risk-Informed Technical Specifications.'"	ML22048B548	NRC-2022-0081
Draft Interim Staff Guidance DANU-ISG-2022-09, "Advanced Reactor Content of Application Project, 'Risk-informed Performance-based Fire Protection Program (for Operations).'"	ML22048B547	NRC-2022-0082

If you have any concerns or questions, please contact Mr. Joseph Sebrosky, Senior Project Manager, at (301) 415-1132, email to Joseph.Sebrosky@nrc.gov, or Mr. Michael Orenak, Project Manager, at (301) 415-3229, email Michael.Orenak@nrc.gov.

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Subject: Extension of Comment Period for Draft ARCAP and TICAP Draft Guidance Documents
Sent Date: 6/22/2023 3:53:46 PM
Received Date: 6/22/2023 3:53:48 PM
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