

July 1, 2025

Mr. Christopher Carroll
Acting Chief Financial Officer
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Subject: Fee Exemption Request for NEI 25-06, Revision 0: "Guidance for Implementing the Requirements of 10 CFR Part 52 for Early Site Permit Renewals"

Project Number: 689

Dear Mr. Carroll:

The Nuclear Energy Institute (NEI)¹ has submitted for NRC review and endorsement NEI 25-06, Revision 0, titled "Guidance for Implementing the Requirements of 10 CFR Part 52 for Early Site Permit Renewals." Developed collaboratively with NEI member companies, the report proposed an approach to enable the renewal of Early Site Permits (ESPs) that are nearing expiration and are within the window of timely renewal.

NEI believes that the process for renewal of ESPs should align with recent NRC efforts to implement efficient, timely and predictable licensing, and should be analogous to other NRC processes, like extension requests for construction permits. To this end, NEI has proposed an alternate renewal pathway in Appendix A of the report that mirrors the NRC's construction permit extension process under 10 CFR 50.55(b), that would significantly reduce time, effort and cost for the NRC and the applicant. While this approach would require an exemption from current Part 52 regulations, it would allow applicants to merely submit a letter requesting an extension on the basis that no significant changes to the authorization made in the original ESP have occurred that impact public health, safety, or environmental conditions. This would prevent unnecessary duplicative work needed for a licensee to bring up to date the information and data contained in its application for ESP renewal, and again later once applying for a Construction Permit or Combined License, saving resources for both licensees and the NRC staff. We believe this would be acceptable since the previously issued permit underwent comprehensive environmental and safety reviews, public comment, and mandatory hearings.

¹ The Nuclear Energy Institute (NEI) is responsible for establishing unified policy on behalf of its members relating to matters affecting the nuclear energy industry, including the regulatory aspects of generic operational and technical issues. NEI's members include entities licensed to operate commercial nuclear power plants in the United States, nuclear plant designers, major architect and engineering firms, fuel cycle facilities, nuclear materials licensees, and other organizations involved in the nuclear energy industry.

On behalf of its members, NEI has respectfully requested that the NRC review and endorse NEI 25-06, Revision 0, and is requesting that all associated review activities, including meetings and supplemental submittals, be granted a fee waiver pursuant to 10 CFR 170.11(a)(1)(ii). The document meets this exemption requirement in that it will "...assist the NRC in generic regulatory improvements or efforts." This guidance supports generic regulatory improvements by enabling consistent application of NRC requirements for the renewal of Early Site Permit's across industry, provides proposed improvements and alternative approaches to the existing requirements to streamline and optimize the renewal process, and will aid the NRC's efforts to build a robust, future-ready regulatory framework for advanced reactor deployment.

The report also supports the goals of the recent Executive Orders, the ADVANCE Act and the 2023 amendments to the National Environmental Policy Act (NEPA), which call for timely and efficient regulatory review and deployment of nuclear technologies. As such, endorsing NEI 25-06 would:

- Provide a predictable regulatory path for applicants seeking to reduce regulatory and financial uncertainties when planning for the future of a potential project site.
- Advance the NRC's objectives for regulatory clarity and efficiency.
- Support the development of regulatory guidance necessary for new reactor deployment.

NEI and its members stand ready to support NRC staff throughout the review. We are available to provide additional information or revise the document as needed. The report will be made available at no cost.

Please contact me at spk@nei.org or 865-466-9248, with any questions.

Thank you for your consideration.

Sincerely,



Spencer Klein
Senior Project Manager, New Nuclear

cc: Michele Sampson, NRR/DNRL
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NRC Document Control Desk