September 8, 2005

The Honorable George V. Voinovich, Chairman
Subcommittee on Clean Air, Climate Change,
and Nuclear Safety
Committee on Environment and Public Works
United States Senate
Washington, D.C. 20510

Dear Mr. Chairman:

The Fiscal Year (FY) 2005 Energy and Water Development Appropriations Act, House Reports 108-554 and 108-792, directed the U.S. Nuclear Regulatory Commission (NRC) to continue to provide a monthly report on the status of its licensing and other regulatory activities. The initial reporting requirement arose in the FY 1999 Energy and Water Development Appropriations Act, Senate Report 105-206. On behalf of the Commission, I am pleased to transmit the eightieth report, which covers the month of July 2005. I am also providing more recent information in this cover letter in order to keep you fully and currently informed of NRC's licensing and regulatory activities.

In response to Hurricane Katrina, the NRC closely monitored activities at Waterford 3, Grand Gulf, and River Bend nuclear power plants to ensure that the licensee's actions were protective of public health and safety. Key plant systems and structures at all three plants were undamaged by the hurricane and remained capable of performing their safety functions during and after the hurricane. At the Waterford 3 plant, operators initiated precautionary measures and shut down the plant when a hurricane warning was issued for St. Charles Parish. Operators at the Grand Gulf and River Bend nuclear power plants voluntarily reduced power to assist in maintaining grid stability when a drop in energy consumption caused grid voltage to fluctuate. At this time, the Waterford plant remains shutdown while the Grand Gulf and River Bend plants are operating at or near full power levels. The NRC has transitioned its focus at the Waterford 3 plant from event response activities to assessing readiness for plant restart. The NRC will continue to ensure that the licensee's activities related to this matter are protective of public health and safety.

As you know, the NRC received three early site permit (ESP) applications in late 2003 for sites at which operating reactors already exist: Dominion's ESP application for the North Anna site, Entergy's ESP application for the Grand Gulf site, and Exelon's ESP application for the Clinton site. The NRC staff completed the technical evaluations on schedule and issued draft safety evaluation reports and draft environmental impact statements on all three ESP applications for public comment. However, the NRC has received 7000 comments from more than 1300 people, significantly more than had been anticipated, on the Dominion North Anna draft environmental impact statement. As a result, additional time will be needed to address the public comments and complete the Dominion review. This will have an impact on the schedules for the other two ESP environmental reviews. The staff expects that the environmental review for North Anna will be delayed by approximately 4 months, for Grand Gulf by approximately 4 months, and for Clinton by approximately 9 months. The staff is taking actions to minimize the potential for future scheduling delays, including developing a database of public comment

responses for future use and obtaining additional contractor support. The Commission places a high value on establishing and maintaining stable and predictable regulatory programs for licensing and inspecting new nuclear plants, including the review of ESPs, and is committed to ensuring that the agency is devoting the appropriate level of resources for these reviews.

On August 26, 2005, the NRC published in the Federal Register (70 FR 50442) a proposed rule to amend its regulations for Fitness for Duty (FFD) programs to update existing requirements and enhance consistency with other relevant Federal rules and guidelines on the same topic. The proposed amendments would require nuclear power plant licensees to strengthen the effectiveness of their FFD programs for ensuring that individuals who are subject to these regulations are trustworthy and reliable, as demonstrated by avoiding substance abuse; are not under the influence of drugs or alcohol while performing their duties; and are not mentally or physically impaired from any other cause that would in any way adversely affect their ability to perform their duties safely and competently. This proposed rule would also grant, in part, a petition for rulemaking (PRM–26–1) submitted by Virginia Electric and Power Company (now Dominion Virginia Power) on December 30, 1993, by relaxing several required FFD program audit frequencies and would partially grant a petition for rulemaking (PRM–26–2) submitted by Barry Quigley on December 28, 1999. The changes would apply to all currently operating plants and future plants licensed by the NRC. The drug- and alcohol-testing provisions would also apply to facilities that transport or handle strategic special nuclear material, including Department of Energy's proposed mixed-oxide fuel facility. The comment period ends on December 27, 2005.

Please do not hesitate to contact me if I may provide additional information.

Commissioner Jaczko did not participate in the development of this letter to the extent it deals with the Yucca Mountain project.

Sincerely,

/RA/

Nils J. Diaz

Enclosure:
Monthly Status Report on the Licensing Activities
and Regulatory Duties of the U.S. NRC, July 2005

cc: Senator Thomas R. Carper

Identical letter sent to:

The Honorable George V. Voinovich, Chairman
Subcommittee on Clean Air, Climate Change,
and Nuclear Safety
Committee on Environment and Public Works
United States Senate
Washington, D.C. 20510
cc: Senator Thomas R. Carper

The Honorable Ralph M. Hall, Chairman
Subcommittee on Energy and Air Quality
Committee on Energy and Commerce
United States House of Representatives
Washington, D.C. 20515
cc: Representative Rick Boucher

The Honorable Pete V. Domenici, Chairman
Subcommittee on Energy and Water Development
Committee on Appropriations
United States Senate
Washington, D.C. 20510
cc: Senator Harry Reid

The Honorable David L. Hobson, Chairman
Subcommittee on Energy and Water Development
Committee on Appropriations
United States House of Representatives
Washington, D.C. 20515
cc: Representative Peter Visclosky

The Honorable James M. Inhofe, Chairman
Committee on Environment and Public Works
United States Senate
Washington, D.C. 20510
cc: Senator James Jeffords

The Honorable Joe Barton, Chairman
Committee on Energy and Commerce
United States House of Representatives
Washington, D.C. 20515
cc: Representative John D. Dingell

MONTHLY STATUS REPORT ON THE LICENSING ACTIVITIES AND REGULATORY DUTIES OF THE UNITED STATES NUCLEAR REGULATORY COMMISSION

July 2005

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[1]Note: The period of performance covered by this report includes activities occurring between the first and last day of July 2005. The transmittal letter to Congress accompanying this report may provide more recent information in order to keep Congress fully and currently informed of NRC's licensing and regulatory activities.

I Implementing Risk-Informed Regulations

The U.S. Nuclear Regulatory Commission (NRC) continues to make progress on tasks involving the use of probabilistic risk information in many areas. The Commission approved, on July 29, 2005, the publication for public comment of a proposed rule to risk-inform the requirements in 10 CFR 50.46, "Acceptance Criteria for Emergency Core Cooling Systems for Light-water Nuclear Power Plants." The staff expects to publish the proposed rule by November 2005.

II Revised Reactor Oversight Process

The NRC continues to implement the Reactor Oversight Process (ROP) at all nuclear power plants. The NRC continues to meet with interested stakeholders on a periodic basis to collect feedback on the efficacy of the process and consider the feedback for future ROP refinements. Recent activities include the following:

- On July 20, 2005, NRC staff hosted a public meeting with the Nuclear Energy Institute (NEI) and the industry to discuss issues related to the Construction Inspection Program for New Reactors. The meeting focus was on licensee documentation for informing the NRC that the inspections, tests, analyses, and acceptance criteria (ITAAC) have been completed.

- On July 20, 2005, NRC staff hosted the monthly public meeting on the Mitigating Systems Performance Index (MSPI). Meeting attendees discussed industry's response to the staff's letter to NEI regarding Probabilistic Risk Assessment quality for MSPI. Meeting attendees also discussed the status of industry's cross comparison summary study that will group similar important plant risk attributes from selected licensees in order to identify outliers relative to monitored MSPI components and/or systems. The staff also discussed a comparison study that the NRC had performed to verify the industry's efforts in the identification of plant outliers.

- On July 21, 2005, NRC staff hosted the monthly public meeting on the ROP. Meeting attendees discussed Significance Determination Process issues, status updates on the Scrams with Loss of Normal Heat Removal and Reactor Coolant System Leakage Performance Indicator (PI) Task Forces, updates on efforts to improve the Safety System Functional Failure PI, and PI Frequently Asked Questions.

III Status of Issues in the Reactor Generic Issue Program

GSI-189, "Susceptibility of Ice Condenser and Mark III Containments to Early Failure from Hydrogen Combustion During a Severe Accident," addresses a concern with the probability of early containment failure as a result of containment hydrogen combustion events. Industry is reviewing information provided previously on several related issues. The NRC will be requesting responses from the six affected licensees on voluntary actions to address these issues.

IV Licensing Actions and Other Licensing Tasks

Operating power reactor licensing actions are defined as orders, license amendments, exemptions from regulations, relief from inspection or surveillance requirements, topical reports

submitted on a plant-specific basis, notices of enforcement discretion, or other actions requiring NRC review and approval before they can be implemented by licensees. The fiscal year (FY) 2005 NRC Performance Plan incorporates three output measures related to licensing actions -- number of licensing actions completed per year, age of the licensing action inventory, and size of licensing action inventory.

Other licensing tasks for operating power reactors are defined as licensee responses to NRC requests for information through generic letters or bulletins, NRC responses to 10 CFR 2.206 petitions, NRC review of generic topical reports, responses by the Office of Nuclear Reactor Regulation to regional requests for assistance, NRC review of licensee 10 CFR 50.59 analyses and final safety analysis report updates, or other licensee requests not requiring NRC review and approval before they can be implemented by licensees. The FY 2005 NRC Performance Plan incorporates one output measure related to other licensing tasks -- number of other licensing tasks completed.

In FY 2004, several high priority activities, such as power grid reliability, changes to nuclear facility security plans, safeguards contingency plans, and guard force training and qualification plans, resulted in the NRC reprogramming resources to accommodate the additional work. One of the programs affected by the reprogramming of resources was operating power reactor licensing actions. As a result, at the end of FY 2004, the size of the licensing action inventory exceeded the goal of less than or equal to 1000, and the goal of completing at least 96 percent of the licensing actions in less than or equal to one year was not met. The effects of the reprogramming will continue into FY 2005 and FY 2006. The licensing actions inventory and timeliness goals for FY 2005 have been changed. Additional resources will be allocated in FY 2006 to reduce the inventory and improve timeliness to meet the original timeliness and inventory goals.

The NRC projects that it will not meet its timeliness goal at the end of FY 2005 for completing 100 percent of its reactor licensing actions within 2 years. The scheduled review of the Vermont Yankee extended power uprate has been extended to allow a thorough review of key technical issues associated with safe operation at the higher power levels.

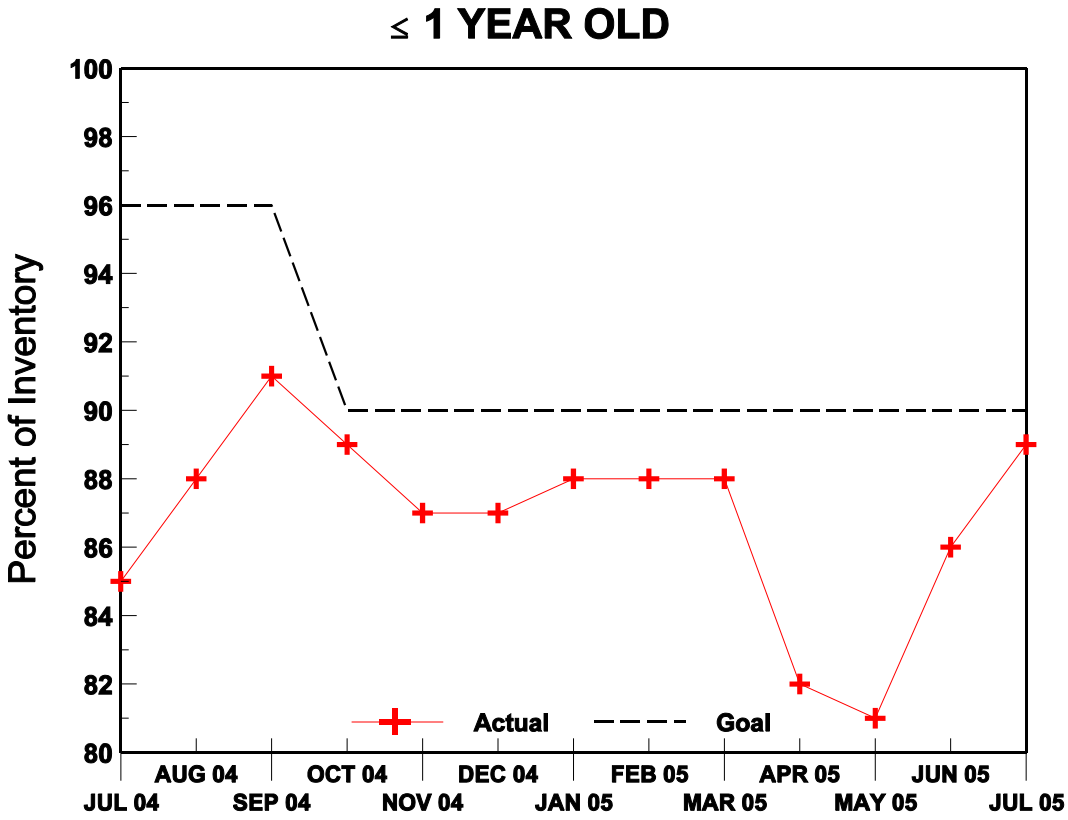
The actual FY 2003 and FY 2004 results, the FY 2005 goals, and the actual FY 2005 results, as of July 31, 2005, for the four NRC Performance Plan output measures for operating power reactor licensing actions and other licensing tasks are shown in the table below.

PERFORMANCE PLAN				
Output Measure	**FY 2003 Actual**	**FY 2004 Actual**	**FY 2005 Goals**	**FY 2005 Actual (thru 07/31/2005)**
Licensing actions completed/year	1774	1741	$ 1500	1333
Age of licensing action inventory	96% # 1 year; and 100% # 2 years	91% # 1 year; and 100% # 2 years	90% # 1 year; and 100% # 2 years	89% # 1 year; and 99 % # 2 years
Size of licensing action inventory	1296	1135	# 1200	1169
Other licensing tasks completed/year	500	671	$ 500	508

The charts below show NRC's FY 2005 trends for the four operating power reactor licensing action and other licensing task output measure goals:

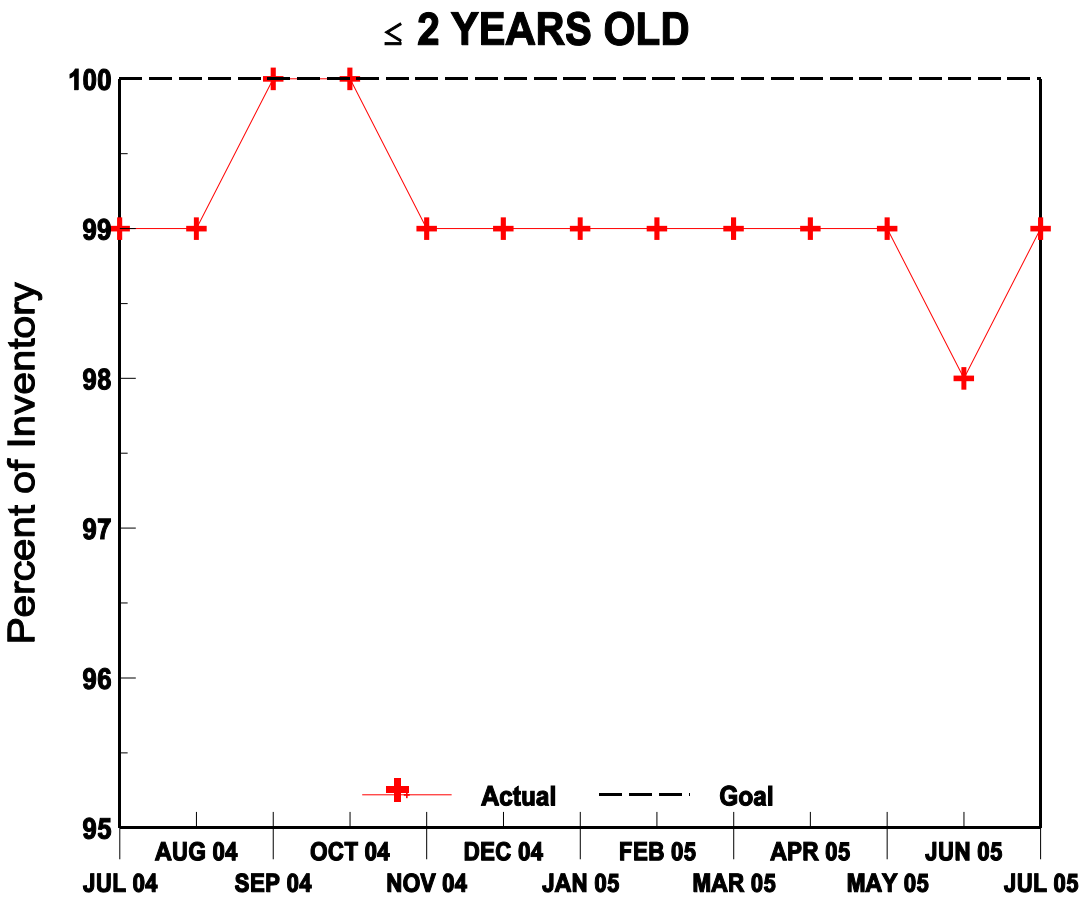
Nuclear Reactor Safety - Reactor Licensing

Performance Plan Target: Age of Licensing Action Inventory



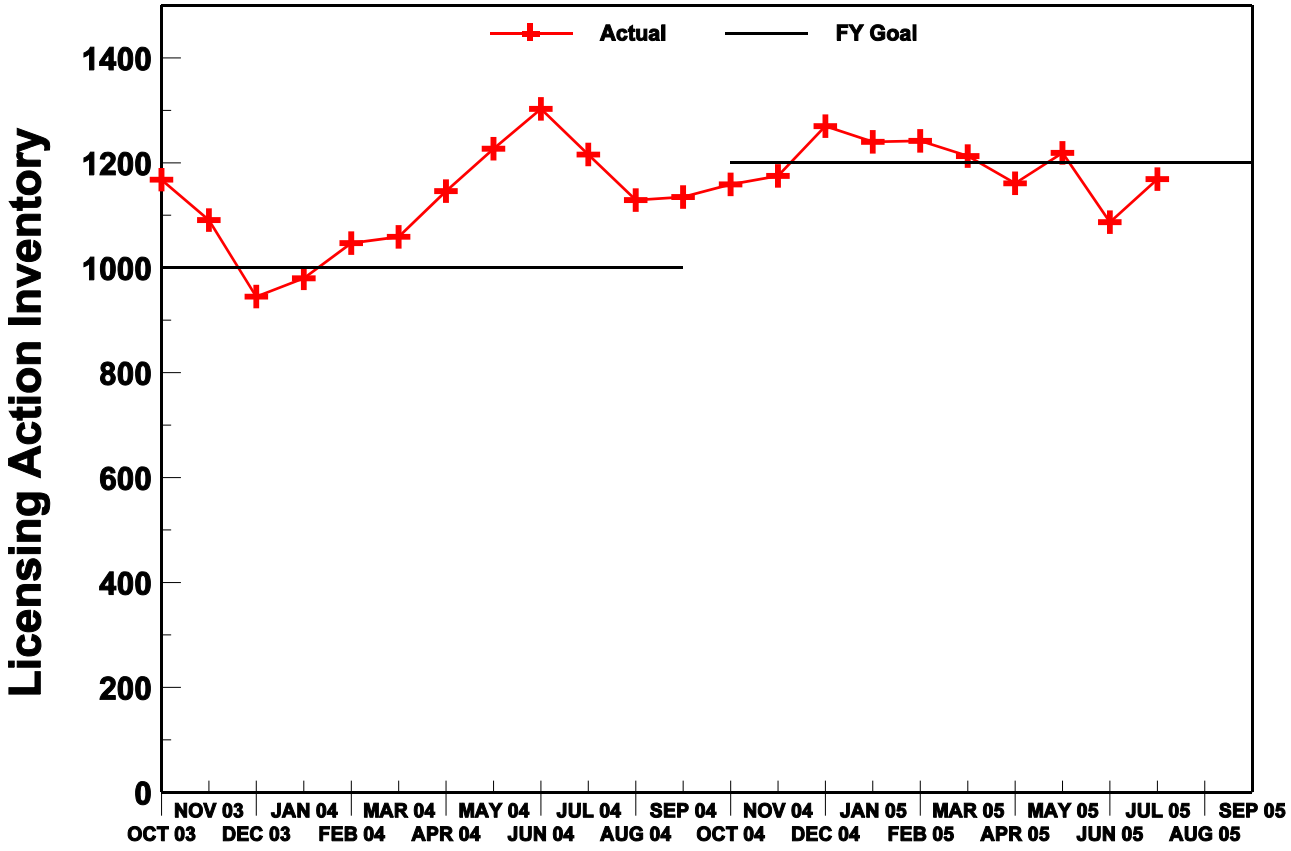
Nuclear Reactor Safety - Reactor Licensing

Performance Plan Target: Age of Licensing Action Inventory



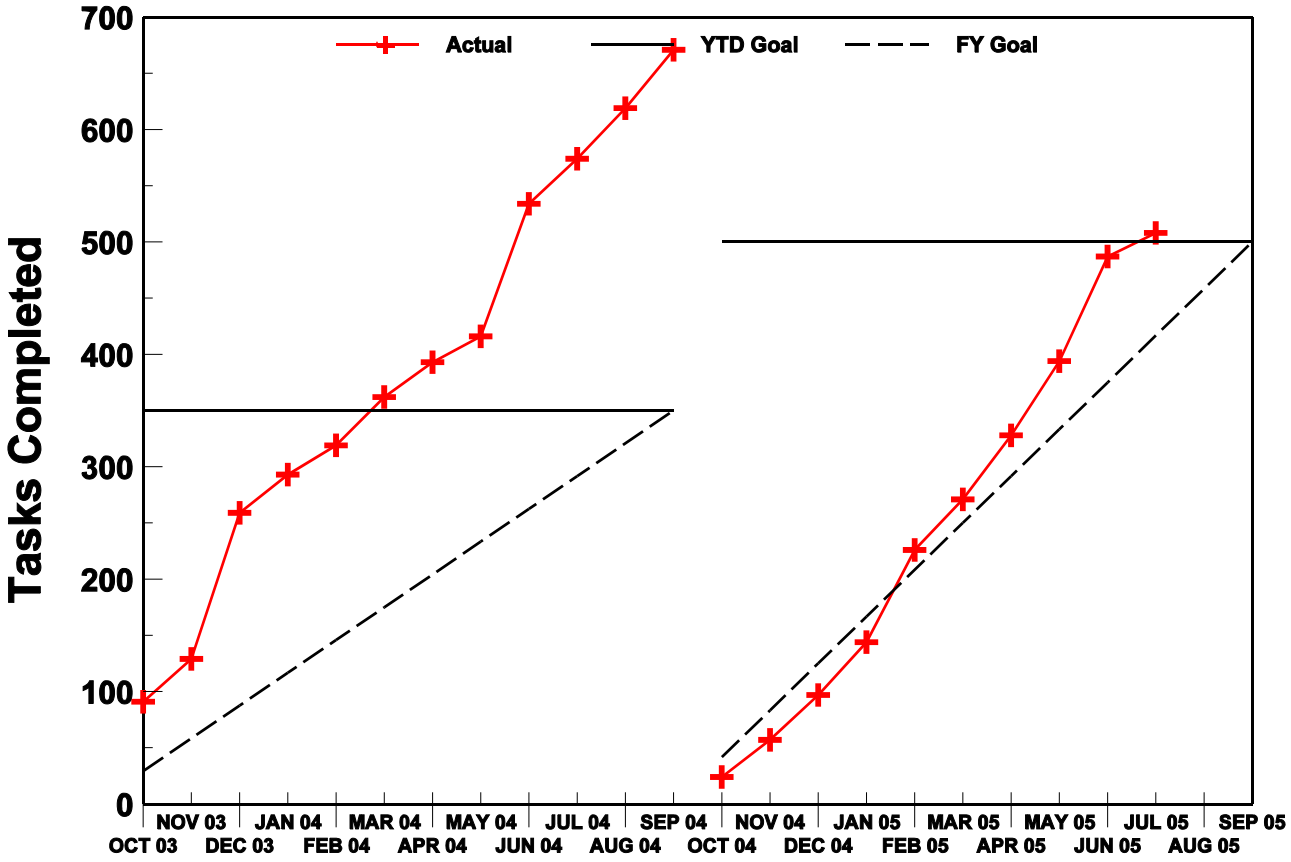
Nuclear Reactor Safety - Reactor Licensing

Performance Plan: Size of Licensing Action Inventory



Nuclear Reactor Safety - Reactor Licensing

Performance Plan Target: Completed Other Licensing Tasks



V Status of License Renewal Activities

DC Cook, Units 1 and 2, License Renewal Application

The staff issued the final supplemental environmental impact statement (SEIS) in April 2005 and the safety evaluation report (SER) in May 2005. The staff is completing activities to support a decision on renewing the licenses in September 2005.

Browns Ferry, Units 1, 2, and 3, License Renewal Application

The staff issued the final SEIS in June 2005. The draft SER, identifying any remaining open items, is scheduled to be issued in August 2005.

Millstone, Units 2 and 3, License Renewal Application

The staff issued the final SEIS in July 2005 and expects to issue the final SER in August 2005. A petition for late intervention and request for hearing was submitted in February 2005. In July 2005, the Atomic Safety and Licensing Board certified the issue to the Commission for resolution.

Point Beach, Units 1 and 2, License Renewal Application

The draft SEIS was issued for public comment in January 2005, and the staff is addressing the comments received. The final SEIS is scheduled to be issued in September 2005. The draft SER, identifying remaining open items, was issued in May 2005, and the applicant's responses to the open items were received in July 2005. The staff is reviewing the applicant's open item responses and is preparing to issue the final SER in October 2005.

Nine Mile Point, Units 1 and 2, License Renewal Application

The Nine Mile Point license renewal application was submitted in May 2004. When the applicant was informed that the responses to the staff's requests for additional information and the applicant's level of support were not adequate, the applicant requested that the review be placed on hold in order to address the issues. The applicant submitted an amended application in July 2005, and the staff has resumed its review of the application. The staff is assessing the information provided and will issue a revised review schedule taking into account the duration of the hold and the additional time needed to complete the review of the application.

Brunswick, Units 1 and 2, License Renewal Application

The Brunswick license renewal application is currently under review, and the staff is preparing requests for additional information. The draft SEIS is scheduled to be issued in September 2005, and the draft SER, identifying any remaining open items, is scheduled to be issued in December 2005.

Monticello License Renewal Application

The Monticello license renewal application is currently under review, and the staff is preparing requests for additional information. The draft SEIS is scheduled to be issued in February 2006, and the draft SER, identifying any remaining open items, is scheduled to be issued in April 2006. A request for hearing has been received in response to the NRC's notice of opportunity for hearing.

Palisades License Renewal Application

The Palisades license renewal application is currently under review, and the staff is preparing requests for additional information. The draft SEIS is scheduled to be issued in February 2006, and the draft SER, identifying any remaining open items, is scheduled to be issued in June 2006.

Oyster Creek License Renewal Application

On July 22, 2005, the NRC received an application for renewal of the operating license for Oyster Creek. The staff is currently performing the required acceptance review of the application and, if found acceptable, will docket the application, notice an opportunity for hearing, and issue the review schedule.

VI Status of Review of Private Fuel Storage, Limited Liability Corporation's Application for a License to Operate an Independent Spent Fuel Storage Installation on the Reservation of the Skull Valley Band of Goshute Indians

Litigation continues on the application by Private Fuel Storage, L.L.C. (PFS) for a license to construct and operate an independent spent fuel storage installation on the Reservation of the Skull Valley Band of Goshute Indians in Skull Valley, Utah. As noted in previous monthly reports, on February 24, 2005, the Atomic Safety and Licensing Board (ASLB) issued its decision on the aircraft crash issue in favor the applicant, finding that the probability of an F-16 aircraft crash accident or ordnance impact into the facility that would result in a release of radioactive materials is less than 1×10^{-6}/yr (one in one million per year).

On March 7, 2005, the State of Utah filed a motion with the ASLB for reconsideration of this decision. On April 6, 2005, the ASLB held oral arguments on the State's motion. On May 24, 2005, the ASLB affirmed its aircraft crash decision. On June 13, 2005, the State filed a petition with the Commission for review of the ASLB's aircraft crash decision. Responses to the State's petition have been filed by both PFS and the NRC Staff. The Commission extended the time for ruling on the State's petition until August 15, 2005.

VII Enforcement Process and Summary of Reactor Enforcement by Region

Reactor Enforcement by Region

Reactor Enforcement Actions*						
		Region I	Region II	Region III	Region IV	TOTAL
Severity Level I	July 05	0	0	0	0	0
	FY 05 YTD Total	0	0	2	0	2
	FY 04 Total	0	0	0	0	0
	FY 03 Total	0	0	0	0	0
Severity Level II	July 05	0	0	0	0	0
	FY 05 YTD Total	0	0	2	0	2
	FY 04 Total	0	1	0	0	1
	FY 03 Total	0	0	0	0	0
Severity Level III	July 05	1	0	0	0	1
	FY 05 YTD Total	2	1	3	2	8
	FY 04 Total	1	2	4	0	7
	FY 03 Total	2	0	4	0	6
Cited Severity Level IV or GREEN	July 05	1	0	2	0	3
	FY 05 YTD Total	2	0	3[2]	0	5
	FY 04 Total	1	0	2	2	5
	FY 03 Total	1	0	2	1	4
Non-Cited Severity Level IV or GREEN	July 05	29	53	49	5	136
	FY 05 YTD Total	217	186	244	229	876
	FY 04 Total	271	175	290	301	1037
	FY 03 Total	211	164	253	184	812

* Numbers of violations are based on enforcement action tracking system data that may be subject to minor changes following verification. The numbers shown as Severity Level I, II, III or IV refer to the number of Severity Level I, II, III and IV violations or problems. The monthly totals generally lag by 30 days due to inspection report and enforcement development.

[2] The Cited Severity Level IV or GREEN FY 05 YTD Total for Region III has been increased by 1 in order to reflect a correction in the June 2005 data.

Escalated Reactor Enforcement Actions Associated with the Reactor Oversight Process						
		Region I	Region II	Region III	Region IV	Total
Notices of Violation Related to RED, YELLOW, or WHITE Findings	July 05 RED	0	0	0	0	0
	July 05 YELLOW	0	0	0	0	0
	July 05 WHITE	1	0	0	0	1
	FY 05 YTD Total	4	1	0	1	6
	FY 04 Total	3	4	7	6	20
	FY 03 Total	6	1	7	1	15

Description of Significant Actions Taken During July 2005

AmerGen Energy Company, LLC (Three Mile Island, Unit 1) EA-05-100 **-** On July 29, 2005, NRC issued a Notice of Violation associated with a White finding involving the licensee's Emergency Response Organization (ERO). Approximately 50 percent of the ERO, including key responders, did not receive the required annual radiological response classroom retraining necessary to maintain familiarity with their specific emergency response duties within the time frame specified in the licensee's Emergency Plan. This resulted in some key ERO positions not being filled by qualified ERO members in accordance with the licensee's Emergency Plan requirements. The NRC cited the licensee's failure to provide the required radiological emergency response training to those who may be called on to assist in an emergency.

Entergy Nuclear Operations, Inc. (Pilgrim) EA-05-039 - On July 14, 2005, NRC issued a Notice of Violation and Proposed Imposition of Civil Penalty in the base amount of $60,000 for a Severity Level III problem consisting of four violations. The violations involved the failure of the Control Room Supervisor (CRS), the Reactor Operator (RO), and the Shift Manager (SM) to follow the requirements in 10 CFR 26.20 and procedures in Technical Specification 5.4.1. The violations cited four specific failures: (1) the CRS being asleep, and therefore, neither alert nor attentive to his duties (Violation A); (2) the RO observing the CRS asleep, but failing to take immediate actions to awaken the CRS, inform appropriate site personnel, and initiate a condition report (Violation B.1); (3) the SM failing to inform appropriate site personnel and initiate a condition report (Violation B.2); and (4) the CRS not being relieved of duty and for-cause fitness for duty tested (Violation C).

VIII Power Reactor Security Regulations

In response to the terrorist attacks on September 11, 2001, the NRC and the nuclear industry have taken many actions to ensure adequate security at nuclear power plants. A series of Advisories, Orders, and Regulatory Issue Summaries have been and, as needed, continue to be issued to strengthen further the security of NRC-licensed facilities and control of nuclear materials.

In March 2003, the NRC initiated a pilot program for full force-on-force exercises, which used expanded adversary characteristics that were developed as a result of the increased post 9/11 threat. The pilot was completed, and NRC is now implementing exercises at each site on a three-year cycle. The purpose of the force-on-force exercises is to assess and improve, as necessary, performance of defensive strategies at licensed facilities. The NRC retains responsibility for oversight of the mock adversary force and evaluation of licensee performance. Measures have been established to minimize any possibility for a conflict of interest with respect to responsibilities for physical protection. To date, mock adversary force personnel have performed adequately in the force-on-force exercises in which they have participated.

The NRC continues to support the U.S. Department of Homeland Security (DHS)/Homeland Security Council (HSC) initiative to enhance integrated response planning for power reactor facilities. The staff is continuing to work with HSC, DHS, Federal Bureau of Investigation, and others to develop plans to address recommended actions. The staff is also developing Emergency Action Levels (EAL) specifically for events involving credible imminent threats. The EAL development program includes plans to coordinate issues with other agencies and state and local governments.

The NRC is continuing the site-specific spent fuel pool assessments begun on July 5, 2005. The NRC is conducting these assessments to identify additional mitigation strategies to enhance the spent fuel pool cooling safety function under severe circumstances challenging the functional capabilities of the plant. Nine plant assessments were completed during July 2005, and an additional twenty-four assessments are scheduled to be conducted during August 2005. The spent fuel pool assessments for the remainder of the operating reactors will be completed by the end of the calendar year. In addition, the NRC is continuing with the structural analyses of two spent fuel pools to provide added assurance of spent fuel pool structural safety margin. These analyses will also be completed by the end of the calendar year.

The NRC issued Bulletin 2005-02, “Emergency Preparedness and Response Actions for Security-Based Events,” to commercial nuclear power reactor licensees on July 18, 2005. The bulletin requested information on several components of licensees’ emergency preparedness programs, including emergency classification levels, procedures for notifying NRC, on-site protective actions, on-site response organization augmentation, and drills and exercises. The agency recognizes that methods of communication and personnel protection for security-based events may differ from those for plant-related accidents. The NRC issued this bulletin so that it can be cognizant, for security-based events, of the emergency preparedness enhancements that have been made and those that are being planned.

On July 19, 2005, staff issued the Radioactive Material Quantities of Concern (RAMQC) enhanced transportation security Orders. The RAMQC Orders were issued to 89 material licensees, all power reactors licensees, and 44 research and test reactor licensees.

Requirements in this Order supplement, but do not replace, existing regulations concerning transportation of radioactive material.

IX Power Uprates

There are three types of power uprates. A measurement uncertainty recapture (MUR) power uprate is a power uprate of less than 2 percent and is based on the use of more accurate feedwater flow measurement techniques. Stretch power uprates are power uprates that are typically on the order of less than 7 percent and are within the design capacity of the plant. Stretch power uprates require only minor plant modification. Extended power uprates (EPUs) are power uprates beyond the design capacity of the plant and, thus, require major plant modification.

Licensees have been applying for and implementing power uprates since the 1970s as a way to increase the power output of their plants. The staff has been conducting power uprate reviews since then and, to date, has completed 105 such reviews. Approximately 13,250 megawatts-thermal (4,417 megawatts-electric) or an equivalent of about four nuclear power plant units has been gained through implementation of power uprates at existing plants. The NRC staff currently has 12 plant-specific power uprate applications under review. The 12 applications under review include 3 MUR power uprates, 2 stretch power uprates, and 7 EPUs. The NRC staff is expecting to receive one additional application for an EPU in the near term.

Regarding the Vermont Yankee (VY) EPU, which was submitted on September 10, 2003, the NRC projects that it will not complete this review by the end of FY 2005 and will therefore not meet the goal for completing 100 percent of its reactor licensing actions within 2 years. The scheduled review of the VY EPU has been extended further to allow a thorough review of key technical issues associated with safe operation at higher power levels. In addition, to address litigation issues, the Atomic Safety and Licensing Board hearing will be held after the NRC staff issues a final Safety Evaluation, currently scheduled for February 24, 2006.

In June 2005, the NRC staff surveyed all licensees to obtain information on whether they plan to submit power uprate applications over the next 5 years. Based on this survey and information obtained since the survey, licensees plan to request power uprates for 26 nuclear power plant units over the next 5 years. If approved, these power uprates will result in an increase of about 4,643 MWt or approximately 1,548 MWe.

X Status of the Davis-Besse Nuclear Power Station

Interim reports to be provided in September 2005, March 2006, and September 2006.

XI New Reactor Licensing

The NRC expects to license the next generation of nuclear power plants using Part 52 to Title 10 of the *Code of Federal Regulations*, (10 CFR Part 52). 10 CFR Part 52 governs the issuance of standard design certifications, early site permits, and combined licenses for nuclear power plants.

Design Certifications

General Electric (GE) is scheduled to submit its design certification application for the Economic and Simplified Boiling Water Reactor design during the summer of 2005. The reactor design review and accompanying rule issuance is scheduled to take 42 - 60 months to complete.

Early Site Permits (ESPs)

The staff is currently reviewing three ESP applications. Dominion Nuclear North Anna, LLC, submitted an ESP application in September 2003 for its North Anna site located in Louisa County, Virginia. The final SER for the North Anna ESP was issued on June 16, 2005. The NRC issued the draft EIS for the North Anna site for public comment on December 10, 2004, and the comment period ended on March 1, 2005.

Exelon Generation Company, LLC submitted an ESP application in September 2003 for its Clinton site located in Harp Township, DeWitt County, Illinois. The staff issued the draft SER for the Clinton ESP on February 10, 2005, and the draft EIS on March 2, 2005.
System Energy Resources Inc. submitted an ESP application in October 2003 for its Grand Gulf site located in Claiborne County, Mississippi. On June 28, 2005, the NRC held a public meeting in Port Gibson, Mississippi, to discuss the draft EIS for Grand Gulf, which was issued on April 21, 2005.

The NRC received significantly more comments on the draft EIS for the North Anna site than it had expected. The NRC is evaluating the impact that the high number of comments received on this draft EIS will have on the schedules for the staff's reviews of all three applications.

In addition to the three ESP applications under staff review, the staff anticipates the submission of an ESP application from Southern Nuclear Operating Company (SNC) during the summer of 2006.

Regulatory Infrastructure

On July 27, 2005, the NRC staff met with Nuclear Energy Institute (NEI) to discuss NEI 04-01, Revision D, "Draft Industry Guideline for Combined License Applicants Under 10 CFR Part 52," and the review of operational programs in a combined license application.

On October 24, 2005, the NRC is scheduled to issue a proposed rulemaking to revise 10 CFR Part 52. The changes to the rule are based on lessons learned during the previous design certification reviews and on discussions with external stakeholders about the ESP and combined operating license processes.