

UNITED STATES
NUCLEAR REGULATORY COMMISSION
OFFICE OF NUCLEAR REACTOR REGULATION
WASHINGTON, DC 20555-0001

February 6, 2003

**NRC REGULATORY ISSUE SUMMARY 2003-03
RELEASE OF DRAFT REVIEW STANDARD (RS) 002,
“PROCESSING APPLICATIONS FOR EARLY SITE PERMITS,”
FOR INTERIM USE**

ADDRESSEES

All holders of operating licenses for nuclear power reactors, all entities that have notified the U.S. Nuclear regulatory Commission (NRC) of their intent to submit early site permit (ESP) applications, and all prospective vendors of nuclear power plants in the United States.

INTENT

The NRC is issuing this regulatory issue summary (RIS) to inform addressees of the availability of draft Review Standard (RS) 002, “Processing Applications for Early Site Permits,” for interim use. This RIS requires no action or written response on the part of an addressee.

BACKGROUND INFORMATION

The regulations in Title 10, Part 52, Subpart A—Early Site Permits of the *Code of Federal Regulations* (10 CFR Part 52) specify the applicable requirements for issuing an early site permit (ESP). The ESP process is intended to allow a prospective applicant for a nuclear power reactor facility to resolve site-related licensing issues and obtain approval of a site (or sites) without having to file an application for a construction permit or a combined license. An ESP is effective for a period of 10 to 20 years.

Three potential applicants have notified the NRC that they intend to submit ESP applications in 2003 (two in June and one in September). Consequently, the NRC has prepared staff guidance to ensure that these and subsequent applications will be reviewed in a consistent and thorough manner.

SUMMARY OF ISSUE

Draft RS-002 provides guidance for the NRC staff to use in reviewing ESP applications. For each area of review, the draft review standard provides staff guidance on acceptance criteria, review procedures, and sample evaluation findings. To the extent feasible, the draft review standard references existing regulatory guidance, such as that found in NUREG-0800, “Standard Review Plan for the Review of Safety Analysis Reports for Nuclear Power Plants.”

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For cases in which the available guidance predates 10 CFR Part 52, the staff has provided guidance to reflect its applicability to the ESP process and to reflect the current regulatory framework. The annotated guidance, which is attached to the draft review standard, is intended only to address ESP applications.

The staff is seeking stakeholder comment on the draft review standard through various media, including a *Federal Register* notice, a press release, and the NRC's public Web site. Following the resolution of stakeholder comments, the staff plans to issue the final review standard by December 2003. Pending issuance of the final review standard, draft RS-002 will provide interim guidance for the NRC staff to use in reviewing ESP applications. In addition, the draft review standard will identify for stakeholders the types of information that the NRC staff will seek in an ESP application.

The draft review standard is available electronically in the NRC's Public Document Room, located at One White Flint North, 11555 Rockville Pike (first floor), Rockville, Maryland, or from the Publicly Available Records System (PARS) component of the NRC Agencywide Documents Access and Management System (ADAMS). PARS is accessible from the NRC's public Web site at <http://www.nrc.gov/reading-rm/adams.html>; the ADAMS Accession No. for draft RS-002 is ML023530045.

BACKFIT DISCUSSION

This RIS requires no action or written response and, therefore, does not constitute a backfit under 10 CFR 50.109. Consequently, the staff did not perform a backfit analysis.

FEDERAL REGISTER NOTIFICATION

A notice of opportunity for public comment on this RIS was not published in the *Federal Register* because it is informational.

PAPERWORK REDUCTION ACT STATEMENT

This RIS does not require any specific action or written response and, therefore, is not subject to the requirements of the Paperwork Reduction Act.

If there are any questions about this matter, contact the individual listed below.

/RA/

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Attachment: List of Recently Issued NRC Regulatory Issue Summaries