

August 11, 2003

MEMORANDUM TO: Dale F. Thatcher, Chief
Quality and Maintenance Section
Division of Inspection Program Management, NRR

Eric W. Weiss, Chief
Emergency Preparation and Health Physics Section
Division of Inspection Program Management, NRR

Douglas H. Coe, Chief
Reactor Inspection Section
Division of Inspection Program Management, NRR

Kamal A. Manoly, Chief
Civil and Engineering Mechanics Section
Division of Engineering, NRR

David L. Solorio, Chief
BOP and Containment Systems Section
Division of Systems Safety and Analysis, NRR

Robert L. Dennig, Chief
Containment and Accident Dose Assessment Section
Division of Systems Safety and Analysis, NRR

Mark P. Rubin, Chief
Safety Programs Section
Division of Systems Safety and Analysis, NRR

John R. Tappert, Chief
Environmental Section
Division of Regulatory Improvement Programs, NRR

Scott A. Morris, Chief
Reactors Safeguards Policy Section
Division of Nuclear Security, NSIR

Janice E. Moore, Assistant General Counsel
for Reactor Programs, OGC

FROM: James E. Lyons, Program Director **/RA J. N. Wilson for:/**
New, Research and Test Reactors Program
Division of Regulatory Improvement Programs
Office of Nuclear Reactor Regulation

SUBJECT: DRAFT RS-002, "PROCESSING APPLICATIONS FOR EARLY SITE PERMITS"

This memorandum transmits, for the use of your staff assigned to review early site permit (ESP) applications, draft Review Standard (RS)-002, "Processing Applications for Early Site Permits."

The draft RS-002 was first issued for interim use and public comment in December 2002. Two additional sections were released in April 2003. The public comment periods have closed for the entire document, and the staff has sent comment responses to the Nuclear Energy Institute (NEI), Exelon Generation Company (Exelon), and Entergy Nuclear (Entergy). The staff is finalizing responses to comments received from Paul Gunter of the Nuclear Information and Resource Service (NIRS), as well as to comments received from Sandra Lindberg of Clinton, IL, who is affiliated with an organization titled "No New Nukes." While the staff has not yet issued response letters to these two commenters, the staff has tentatively concluded that no additional guidance to the staff will be required as a result of these comments and the staff's planned responses to them. The New, Research and Test Reactors Program (RNRP) will inform you if additional guidance to the staff is determined to be necessary as a result of finalizing the responses to these commenters. In addition, we will forward to affected branches copies of the staff's responses to these commenters when they are available.

We do not consider it feasible to incorporate all the public comments and process for staff approval a final version of RS-002 prior to expected receipt of the first prospective ESP application. Therefore, we are issuing the attached version of draft RS-002, which contains the following changes from the December 2002 draft RS-002:

- The two additional sections, 15.0 and 17.1.1, that were released for public comment and interim use in April 2003, have been included.
- A new Attachment 5 has been added. This attachment consists of the staff's responses to comments on the draft RS-002 made by NEI, Exelon, and Entergy. Both the comments and the responses to the comments are included in Attachment 5.
- Editorial changes have been made for clarity (highlighting and strikeout removed, reference citations renumbered for sections from which references were deleted, font changed to comply with current NRC publishing standards, and obvious typographical errors removed).
- Text that referred to RS-002 and/or its sections as "Standard Review Plan" or "SRP" has been revised to correctly refer to the document as an RS.

Until the final RS-002 is issued (likely to occur early in 2004), staff reviewers of ESP applications should use the attached version of draft RS-002, including the staff's responses to public comments in Attachment 5 to the document, as primary guidance for review of assigned sections of any ESP applications submitted for the staff's acceptance and review.

Various

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For any questions on this matter, please contact Michael Scott, ESP Project Manager, at 415-1421.

Attachment: As stated

cc w/o att: TRQuay
JNHannon
PTKuo
EVImbro
MTschiltz
SRichards

Various

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For any questions on this request, please contact Michael Scott, ESP Project Manager, at 415-1421.

Attachment: As stated

cc w/o att: TRQuay
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