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November 26, 2002

Mr. James E. Lyons
Director, New Reactor Licensing Project Office
Office of Nuclear Reactor Regulation
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

SUBJECT: Resolution of Generic Topic ESP-20 (Use of Existing Site/Facility Information)

Dear Mr. Lyons:

In a public meeting on September 25, 2002, we discussed generic topic ESP-20, which concerns the use of existing site and facility information in the preparation of an early site permit application.

Our ESP-20 discussion covered three general areas, discussed in more detail below:

- The definition of existing information
- Its use in an ESP application
- The implications for NRC staff reviews

During our discussion, the staff appeared receptive to the use of existing information and how the applicants described use of such information through specific examples. We request that, by reply to this letter, the NRC confirm the understandings and expectations identified below that resulted from this discussion. To ensure timely resolution of generic issues and continued progress toward ESP applications in 2003, we request that NRC respond within 30 days.

1. Existing information about the site and/or the facility may be information either previously docketed for other licensed facilities on the same site, or otherwise reviewed by the NRC and determined by the applicant to be relevant. Examples include the updated Final Safety Analysis Report, Technical Specifications, environmental reports and/or environmental impact statements, safety evaluation reports, correspondence, and emergency plans.

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2. The lead applicants will use existing information in their ESP applications. That information may be presented in the ESP application directly or incorporated by reference. ESP applicants should ensure that stakeholders have equal access to all information in ESP applications, including any incorporated by reference.
3. A discussion of the applicability of pre-existing information for ESP purposes will be included as appropriate in ESP applications.
4. NRC review of an ESP application is a new review. The applicant's use of existing information allows the NRC staff to minimize the resources it expends examining previously reviewed and approved information. A variety of formatting techniques may be used to make existing information easily identifiable. Applicant identification of existing information is expected to result in more efficient NRC reviews by allowing the staff to focus on changes since the existing information was previously reviewed, new information, and confirming the applicability of existing information for ESP purposes.

Enclosed for your use is an updated list and status of generic ESP topics that have been identified for discussion during the pre-application period.

We look forward to your confirmation of the understandings and expectations described above related to ESP-20. If you have any questions concerning this request, please contact Russ Bell (rjb@nei.org or 202-739-8087).

Sincerely,

Original Signed By,

Ron Simard

Enclosure

c: Ronaldo V. Jenkins, NRC/NRR
Document Control Desk

Status of Generic ESP Interactions

ESP Topic Higher priority topics shaded	Initial Discussion	Resolution Pending	Discussions Ongoing	Next Discussion	NEI Letter	NRC Response	Potential Snr. Mgmt Issue	ESP Schedule Impact if not Resolved by	Remarks
1. ESP application form & content	8/22		x						NRC provided TOC comparison on Oct. 16
2. ESP inspection guidance	4/24		x						<ul style="list-style-type: none"> • IMC-2501 issued; reflects QA open issue (see ESP-3) • ESP Review Std. to be issued for trial use & comment by year end
2a. Pre-application interactions (voluntary nature, plans for local public mtgs & review fee structure)	4/24	x				11/26			
3. QA requirements for ESP information	5/28		x	12/5			x	2/1/03	Open issue – Applicability of Appendix B to ESP
4. Nominal NRC review timeline	10/17		x	1Q03					
5. Mechanism for documenting resolution of ESP issues	5/28	x			9/10	11/5			Closed
6. Use of plant parameters envelope (PPE) approach	7/16		x	12/5			x	2/1/03	Remaining aspects of PPE approach and NRC questions to be discussed Dec. 5
7. Guidance for satisfying §52.17(a)(1) requirements	7/16		x	12/5			x	2/1/03	Subset of ESP-6
8. Fuel cycle and transportation impacts (Tables S-3 & S-4)	9/25		x	12/5				3/1/03	
9. Criteria for assuring control of the site by the ESP holder				1Q03					
10. Use of License Renewal GEIS for ESP	9/25	x							
11. Criteria for determining ESP duration (10-20 years)				12/5					

Enclosure

ESP Topic Higher priority topics shaded	Initial Discussion	Resolution Pending	Discussions Ongoing	Next Discussion	NEI Letter	NRC Response	Potential Snr. Mgmt Issue	ESP Schedule Impact if not Resolved by	Remarks
12. Guidance for evaluating severe accident mitigation alternatives under NEPA	8/22		x	12/5				2/1/03	Deferral to COL likely; to be further discussed Dec. 5 in connection with ESP-6
13. Guidance for ESP seismic evaluations	6/13		x	1/03					2 nd meeting on pilot demonstration activity planned for Jan. 2003
14. Applicability of Federal requirements concerning environmental justice				1Q03					Evaluating related PFS decision by Commission
15. Appropriate level of detail for site redress plans	9/25	x			11/26				
16. Guidance for ESP approval of emergency plans				1Q03					
17. Petition to eliminate duplicative NRC review of valid existing site/facility information									Staff recommendation pending on petition PRM-52-1
18. Petition to eliminate reviews for alternate sites, sources and need for power									Staff recommendation pending on petition PRM-52-2
18a Alternative site reviews				12/5				3/1/03	
19. Addressing effects of potential new units at an existing site				1Q03					
20. Practical use of existing site/facility information	9/25	x			11/26				
21. Understanding the interface of ESP with the COL process.				2Q03					
22. Form and content of an ESP	x		x	12/5			x	2/1/03	NEI draft provided Aug. 22; NRC feedback requested for Dec. 5 meeting