

November 1, 2005

Dr. Graham B. Wallis, Chairman
Advisory Committee on Reactor Safeguards
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555-0001

SUBJECT: REPORT ON TWO POLICY ISSUES RELATED TO NEW PLANT LICENSING

Dear Dr. Wallis:

Thank you for your letter, dated September 21, 2005, in which the Advisory Committee on Reactor Safeguards (the Committee) conveyed its views on "Two Policy Issues Related to New Plant Licensing." The staff presented these policy issues and the staff's recommendations to the Commission in SECY-05-0130, "Policy Issues Related to New Plant Licensing and Status of the Technology-Neutral Framework for New Plant Licensing," dated July 21, 2005. These issues relate to the staff's ongoing effort on near term pre-application reviews of new reactor designs and development of the technology-neutral framework.

In its staff requirements memorandum dated September 14, 2005, the Commission disapproved the staff's recommendations, and directed the staff to consider the Committee's comments and develop a subsequent notation vote paper addressing the policy issues. The Commission also directed the staff to expeditiously develop an Advance Notice of Proposed Rulemaking (ANPR) to consider the spectrum of issues relating to risk-informing the agency's reactor requirements. The staff intends to include the Committee's views in the ANPR to solicit stakeholders' comments.

We appreciate the time and effort that the Committee has devoted to this important subject. The staff will continue to interact with the Committee on the development of a risk-informed, performance-based revision to Title 10, Part 50, of the *Code of Federal Regulations*.

Sincerely,

/RA/

Luis A. Reyes
Executive Director
for Operations

cc: Chairman Diaz
Commissioner McGaffigan
Commissioner Merrifield
Commissioner Jaczko
Commissioner Lyons
SECY

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