

Nuclear Regulatory Commission

November 18, 2003

B17

Current Project Status

- Last visited with Commission on December 3, 2002
- Key LES actions since that time:
 1. LES Management team changed; President is Jim Ferland (Westinghouse), Licensing is Rod Krich (Exelon), Public/Gov't Affairs is Marshall Cohen
 2. Withdrew from Hartsville, TN site on August 27, 2003; announced selection of Lea County site on September 2, 2003
 3. Notified the NRC by letter dated September 12, 2003 that license application would be submitted by end of year
 4. Partnership and long-term (>5 years) contracts will be in place prior to submittal of application

Ongoing Activities

- License Application (Safety Analysis Report, Environmental Report, and other required documents) is in preparation
 - Responsible staff are co-located in Spartanburg, SC
- State has granted 35 year easement to site; in process of obtaining ownership
- Extensive activity in Lea County area
 - Public meetings/education
 - Two information offices opening in region
 - July site visit to Almelo facility by local and state officials and members of the public; second visit planned for early December 2003
 - NRC public meeting held in Eunice, NM, closest town to site

“White Paper” Policy Issues

- LES has identified six key policy issues requiring Commission guidance:
 - Financial Qualifications
 - Foreign Ownership
 - Tails Disposition
 - Antitrust
 - Need/No Action Alternative
 - Environmental Justice
- These six issues were topic of NRC public meeting in April 2002 and public comment in October 2002

Key NRC Issues (cont'd)



- NRC letter of March 24, 2003 provided staff positions; application will reflect LES's understanding
- NRC draft policy on Environmental Justice recently issued; reflects guidance in NUREG-1748 and is consistent with application

Issuance of Hearing Order

- Policy guidance set forth in a hearing order will be essential to an efficient, disciplined licensing process
- Objective is to complete licensing process, including hearings, in 24 months

Issuance of Hearing Order (cont'd)

- Key elements:
 - Commission guidance on six “white paper” policy issues
 - Procedural guidance for Licensing Board
 - Scheduler milestones
 - Management of Discovery

Other Issues

- Disciplined licensing process will also require active management oversight of process
 - Will propose process of elevating unresolved technical issues to management to ensure efficient resolution
- RAI responses within 30 days of request
- Continuing Commission oversight/involvement
- Timely preparation of FEIS and SER, relying to maximum extent on work already done