

C.III.4. COL Action or Information Items**C.III.4.1 Background**

Appendices A–D to 10 CFR Part 52 set forth the design certification rules that specify the NRC's requirements for the certified reactor designs (i.e., the U.S. Advanced Boiling-Water Reactor, System 80+, AP600, and AP1000, respectively). In the "Definitions and General Provisions" for each of these design certification rules, Section II.E defines "Tier 2 information," which includes (among other things) COL action or information items, defined as follows in Section II.E.4:

Combined license (COL) action items (COL license information), which identify certain matters that shall be addressed in the site-specific portion of the final safety analysis report (FSAR) by an applicant who references this appendix. These items constitute information requirements but are not the only acceptable set of information in the FSAR. An applicant may depart from or omit these items, provided that the departure or omission is identified and justified in the FSAR. After issuance of a construction permit or COL, these items are not requirements for the licensee unless such items are restated in the FSAR.

The design control documents for each certified design contain COL information items, which the design certification vendor has deferred to the COL applicant to address in its application. The NRC staff's final safety evaluation report (FSER) for each certified design also contain a set of COL action items, which are cross-referenced with COL information items in the related design control document. In addition, at the early site permit (ESP) stage, the NRC staff adds COL action items to the ESP in order to ensure that particular site-related issues are considered during the review of later applications referencing the ESP. The NRC staff has determined that these COL action items do not affect its regulatory findings at the ESP stage and are more appropriately addressed during later stages in the licensing process.

COL action or information items are not the only remaining items for a COL applicant to address in applications that reference a certified design (or a certified design and an ESP). Sections C.III.1 and C.III.2 of this guide list the additional items for COL applicants referencing a certified design and an ESP, respectively. Both of these sections include what the staff believes to be a generic set of COL action or information items that are typically found in design control documents. They are listed in Sections C.III.1 and C.III.2 to provide COL applicants with a complete set of information that needs to be included in a COL application.

C.III.4.2 Addressing COL Action or Information Items

As previously noted, the design control documents specify the COL information items that the applicant is required to address, and each COL application should identify the items that it will address, with cross-references to where each item is addressed in the COL application. The NRC staff recommends that the applicant include this information in Chapter 1 of the COL application.

Similarly, COL applicants referencing an ESP should review each COL action item identified in the permit, and the COL application should identify the COL action items that it will address. For items that are addressed, the COL applicant should provide cross-references to where each item is addressed in Chapter 1 of the COL application.

For each COL action or information item that is not addressed, whether it is derived from the design certification or an ESP, the COL application should provide justification for why that item is not

addressed in the application. For example, items that require plant walkdowns cannot be completed because the plant has not been constructed at the time the application is submitted.

As previously noted, the FSER for each design certification contains a set of COL action items, which are cross-referenced with COL information items in the related design control document. In addressing the COL information items in the design control document, the COL applicant should ensure that it has captured the intent of the issues described by the COL action items listed in the related FSER. The staff intends to review the FSER list of COL action items during its review of each COL application and may request additional information from the COL applicant to address issues described by the listed action items that the COL application did not adequately address.

C.III.4.3 License Condition for COL Action or Information Items

For the subset of COL action or information items that a COL applicant cannot address before the license is issued, the staff intends to include a license condition in the COL to require the licensee to address the specified COL action or information items at an appropriate point in the construction or operation of the plant.