B. DISCUSSION

The purpose of this regulatory guide is to provide guidance regarding the information to be submitted in a combined license (COL) application for a nuclear power plant. As such, this guide is intended to address many, albeit not all, of the application options allowed by Title 10, Part 52, of the *Code of Federal Regulations* (10 CFR Part 52). Although a COL applicant is not required to conform to this guidance, its use will facilitate both the applicant's preparation of a COL application and timely review of the application by the staff of the U.S. Nuclear Regulatory Commission (NRC). Nonetheless, the reader should note that although this guide may not cover all current regulations pertaining to a COL application, the application must address all such regulations.

The regulatory positions presented in Section C of this guide are divided into four parts. Part I addresses the information requirements specified in 10 CFR 52.79, "Contents of Applications; Technical Information in Final Safety Analysis Report." As such, Part I is intended to provide COL applicants with guidance regarding the information that the staff needs to resolve all safety issues related to the proposed combined license. Moreover, Part I is intended to be used by COL applicants who are ***not*** referencing certified designs. Toward that end, Part I includes 19 sections. Section C.I.1 provides broad generic guidance, although COL applicants have the option not to maintain some of this information in Chapter 1 of the final safety analysis report (FSAR). Sections C.I.2–C.I.17 are based on the existing guidance provided in Regulatory Guide 1.70, "Standard Format and Content of Safety Analysis Reports for Nuclear Power Plants," although the NRC staff has updated the guidance in those sections to reflect the current information requirements for COL applications. By contrast, Sections C.I.18–C.I.19 present information requirements that are not addressed in Regulatory Guide 1.70. In addition, the reader should note that Sections C.I.2–C.I.19 correspond to Chapters 2–19 of NUREG-0800, "Standard Review Plan [SRP] for the Review of Safety Analysis Reports for Nuclear Power Plants." The level of information needed for those sections depends on the complexity of the topic.

Part II of Section C addresses the information requirements specified in 10 CFR 52.80, "Contents of Applications; Additional Technical Information." In particular, these information requirements include the probabilistic risk assessment (PRA); inspections, tests, analyses, and acceptance criteria (ITAAC); and the environmental report. Use of the guidance in Part II assumes that a COL applicant is referencing a custom design. Together, Parts I and II are intended to represent the bulk of the technical information that an applicant should include in a COL application.

Part III of Section C is intended to be used by COL applicants who reference either a certified design or both a certified design and an early site permit (ESP). As such, Part III includes seven sections. Section C.III.1 is intended to address the topics that the NRC staff will review in a COL application that references a certified design. By contrast, Section C.III.2 addresses the remaining review topics for applications that reference both a certified design and an ESP. The guidance provided in both of these sections was derived from information presented in Part I of this guide. Section C.III.3 addresses the finality of an environmental impact statement associated with an ESP. Section C.III.4 provides generic guidance on addressing COL action/information items in COL applications. Section C.III.5 provides recommendations for COL applicants who reference certified designs that include design acceptance criteria (DACs). Section C.III.6 provides recommendations for coordinating the submittal of COL applications with design certifications and/or ESP applications that are under NRC review at the time the COL application is submitted. Finally, Section C.III.7 provides a process for developing the additional ITAAC necessary for applications that reference a certified design.

Part IV of Section C includes 12 sections that address a series of miscellaneous topics of interest to COL applicants. Section C.IV.1 includes the checklist that the NRC will use to perform its acceptance

review of a COL application. Section C.IV.2 provides guidance and recommendations for the format of a COL application, with a particular focus on those that applicants submit electronically. Section C.IV.3 provides a general description of the change processes associated with custom COL applications and those that reference a certified design and/or an ESP. Section C.IV.4 provides guidance for use in implementing SECY-05-0197, "Review of Operational Programs in a Combined License Application and Generic Emergency Planning Inspections, Tests, Analyses, and Acceptance Criteria." Section C.IV.5 provides submittal guidance for the general and financial information that a COL application is required to include. Section C.IV.6 provides guidance regarding information to be included in the site redress plan and requests for limited work authorizations. Section C.IV.7 discusses pre-application activities that the NRC staff and the prospective applicant should perform before an application is submitted. Section C.IV.8 provides information on dealing with generic issues. Section C.IV.9 is reserved for future use. Section C.IV.10 provides guidance on handling the regulatory treatment of non-safety systems. Section C.IV.11 is reserve for future use. Finally, Section C.IV.12 discusses the applicability of industry guidance. Appendix A provides the questions and comments received during the public workshops on DG-1145 and the proposed staff responses.

Figure B-1 below represents the scope of the staff's review of a COL application that references a certified design. In such instances, the referenced design contains DAC for certain design topics that the COL application review is not required to address; however, the COL application must discuss any departures from the certified design. In addition, the design must be sufficiently complete to enable the NRC staff to reach a final conclusion regarding all safety issues. Toward that end, the scope of the staff's review encompasses the entire facility. Thus, a COL applicant should not state that the staff should defer a portion of its application review because the information is not available at the time the application is submitted. Rather, the COL applicant should provide sufficient information to enable the staff to reach a safety finding.

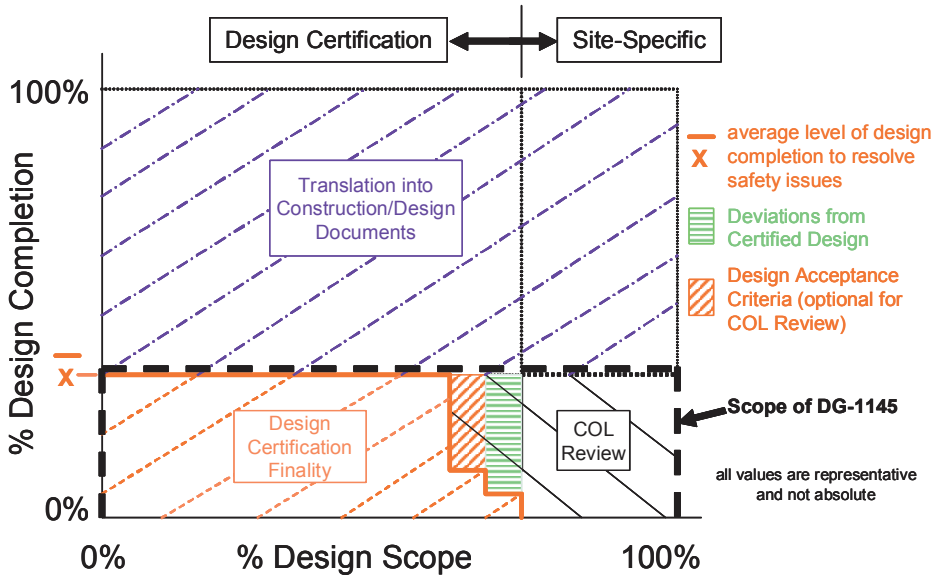

Figure 1: Combined License Application Referencing a Certified Design

This guide is intended to be used by COL applicants who propose to construct and operate light-water reactor (LWR) nuclear power plants. Thus, this guide does not attempt to distinguish between active and passive safety system LWRs. Rather, this guide attempts to bound the information needed in a COL application for any LWR. As a result, some of the guidance may not apply to some COL applicants.

During the development of this guide, the staff provided numerous opportunities for public involvement. Upon completing each section of the guide, the staff placed the draft on the NRC's public Web site as a work-in-progress. In so doing, the staff solicited comments through the agency's Web site on all work-in-progress sections, as well as the development of the guide in general. This afforded the public a very early opportunity to provide feedback on the development of this document. There were also several public meetings held to discuss draft sections of the guidance and regulatory positions. In addition, the staff afforded the public multiple opportunities to provide comments during a series of five public workshops, which the NRC held between March and July 2006. As a result, the staff has addressed many of the comments in Appendix A of this guide. In particular, the comments addressed in Appendix A focus on the development of individual sections of the regulatory positions in this guide, and are organized by the corresponding section. The NRC encourages readers to review Appendix A before submitting comments on the draft guide.