



**Policy Issues Affecting the  
Combined License Application  
and  
Proposed Resolutions**

**August 17, 2006  
Meeting with the NRC  
Rockville, MD**

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## Early Submittal of Environmental Report

- UniStar Nuclear is planning an early submission of the Environmental Report (ER) (information required by 10 CFR 50.30(f)) in accordance with 10 CFR 2.101(a)(5).
- We consider that 10 CFR 2.101(a)(5) applies to Combined License (*i.e.*, COL) applications submitted in accordance with 10 CFR 52.
- Upon submission of the ER, we expect that NRC will initiate an acceptance review (to be completed in 30 days), docket the ER, and begin review of the ER upon docketing.
- In accordance with 10 CFR 2.104(a) the first hearing notice will be issued as soon as practicable after the ER is docketed.
- As in the Louisiana Energy Services, L.P. (LES) case, the Atomic Safety and Licensing Board (ASLB) hearing should proceed upon issuance of the Draft Environmental Impact Statement (DEIS).

## Concurrent Submission and Review of the Design Certification and COL Applications

- UniStar Nuclear's remaining part of the COL application (*i.e.*, information required by 50.34(a)) will reference the previously submitted Design Certification (DC) application from AREVA.
- Review of COL application should begin upon docketing, and should be coordinated with review of DC application, as necessary.
- We expect NRC will have adequate resources to conduct concurrent reviews.
- A second hearing notice would need to be issued upon docketing of the remaining part of the COL application.
- As in the LES case, early litigation (*i.e.*, prior to issuance of Safety Evaluation Report (SER)) should be permitted.

## Concurrent Submission and Review of the Design Certification and COL Applications (cont'd)

- Upon publication of the hearing notice on the remaining part of the COL application, petitioners should be required to offer contentions on design issues.
- These contentions should be held in abeyance by the ASLB until issuance of the Final Design Approval (FDA).
- Upon issuance of FDA, contentions held in abeyance on design issues would be subject to summary disposition based upon scope of FDA.

## Early Submittal of Emergency and Security Plans

- As stated in our May 2, 2006 presentation and May 18, 2006 letter, UniStar Nuclear is planning an early submission of the Emergency and Security Plans by the end of 2006.
- The Emergency and Security Plans will be submitted as Topical Reports in accordance with NRC's NRR Office Instruction, "Processing Requests for Review of Topical Reports," LIC-500, Revision 2.

## Other Policy Issues

- In order to ensure that the review process, including any required ASLB hearing, moves forward efficiently and in a predictable manner, the Commission should establish clear guidance in the hearing order addressing:
  - Schedule for conduct of proceeding, including key milestones and overall goal for completion.
    - ASLB report to Commissioners on delays of greater than 30 days.
  - ASLB approach to design-related contentions.
  - Litigation of environmental issues based upon DEIS.
  - Early litigation of safety issues (pre-SER).

## Other Policy Issues (cont'd)

- Commission should provide binding guidance in hearing order on generic policy issues.
- Examples of issues that Commission should address in hearing order:
  - Nonproliferation risks of nuclear power
  - Need for nuclear plants; alternatives to nuclear (*e.g.*, conservation, demand-side management)
  - Historical accidents (*e.g.*, Chernobyl, TMI, Space Shuttle O-Rings)
  - Potential for future regulations to make nuclear more expensive

## Other Policy Issues (cont'd)

- Impact of nuclear accident on public opinion; potential for a nuclear accident anywhere to result in public opposition and lead to shutdown of plants
- Issues associated with GNEP; reprocessing
- Treatment of unanticipated/off-normal radiological releases