

September 7, 2007

Mr. Russell J. Bell, Director
New Plant Licensing
Nuclear Generation Division
Nuclear Energy Institute
1776 I Street, NW, Suite 400
Washington, DC 20006-3708

Dear Mr. Bell:

I am responding to your letter dated August 10, 2007, concerning additional generic templates to be developed by the Nuclear Energy Institute (NEI) on radioactive waste and radiation protection programs and related content in final safety analysis reports. Your letter accurately describes an approach discussed and agreed to during recent public meetings between the U. S. Nuclear Regulatory Commission (NRC) staff and representatives from NEI and the nuclear power industry. Specifically, this approach involves the development of four generic program descriptions, or templates, covering the following aspects of an operational radiation protection program:

- Offsite Dose Calculation Manual Program (ODCM), including Radiological Effluent Technical Specifications (RETS)/Standard Radiological Effluent Controls (SREC) and Radiological Effluent Monitoring Program (REMP)
- Process Control Program (PCP)
- Final Safety Analysis Report (FSAR) Section 12.1 on “as low as reasonably achievable” (ALARA)
- Cost-benefit analysis required by 10 CFR Part 50, Appendix I, Section II.D, of practicable options for radioactive waste processing as apart of the demonstration that radiation doses will be ALARA

Applicants for combined licenses (COLs) or design certifications (DCs) may incorporate these templates into their applications by reference. Such incorporation by reference will be useful to the extent that the templates provide information that must be included in a COL or DC application under 10 C.F.R. §§ 52.79 or 52.47, respectively. Applicants that reference the generic templates while they are being reviewed by the NRC staff should understand that their applications would have to be amended to provide the required program description if the NRC does not approve the generic templates. Also, if the referenced template is ultimately endorsed by the NRC, but the endorsed version differs from the version referenced in the application, applicants will need to amend their applications to reflect the revised document. Applicants should acknowledge in their applications when generic templates or other reference material is currently under review by the NRC staff, and when possible include the NRC’s Agencywide Documents

Access and Management System (ADAMS) accession number of the document being referenced. An applicant could, for example, use incorporation by reference for one of the NEI documents by stating:

This section incorporates by reference NEI 07-[XX], [Document Title, Rev. xx, dated xx/xx/xxxx] [ADAMS No. MLxxxxxxxxx], which is currently under review by the NRC staff.

Upon receipt of each report, the NRC staff will develop a review plan and schedule, which will be communicated to NEI using established processes. We support additional public meetings in the short-term and will work with NEI to schedule future meetings and other interactions in support of the NRC review of each topical report.

The NRC staff has had similar discussions with stakeholders regarding the ongoing review of other NEI topical reports. The process described above for the radioactive waste and radiation protection templates may be used for other NEI topical reports currently under review by the NRC staff and intended to be referenced in COL applications. For example, applicants may use this process to reflect the ongoing review of NEI 03-12, Appendix F, "Security Measures During New Reactor Construction," by including the following statement in the appropriate section of their applications:

This section incorporates by reference NEI 03-12, Appendix F, "Security Measures During New Reactor Construction," [Rev. xx, dated xx/xx/xxxx], which is currently under review by the NRC staff.

Please feel free to call me if you have any questions.

Sincerely,

/RA/

William D. Reckley, Branch Chief
Rulemaking, Guidance and Advanced
Reactor Branch
Division of New Reactor Licensing
Office of New Reactors

cc: see attached list

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William D. Reckley, Branch Chief
Rulemaking, Guidance and Advanced
Reactor Branch
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Office of New Reactors

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Combination Mailing List:

cc: (page 1)

Mr. Laurence Parme
Manager, GT-MHR Safety & Licensing
General Atomics Company
P.O. Box 85608
San Diego, CA 92186-5608

Mr. David Lochbaum, Nuclear Safety Engineer
Union of Concerned Scientists
1707 H Street, NW, Suite 600
Washington, DC 20006-3919

Mr. Paul Gunter
Nuclear Information & Resource Service
1424 16th Street, NW, Suite 404
Washington, DC 20036

Mr. James Riccio
Greenpeace
702 H Street, NW, Suite 300
Washington, DC 20001

Mr. Adrian Heymer
Nuclear Energy Institute
Suite 400
1776 I Street, NW
Washington, DC 20006-3708

Mr. George Alan Zinke
Project Manager
Nuclear Business Development
Entergy Nuclear
M-ECH-683
1340 Echelon Parkway
Jackson, MS 39213

Ms. Marilyn Kray
Vice President, Special Projects
Exelon Generation
200 Exelon Way, KSA3-E
Kennett Square, PA 19348

Mr. Charles Brinkman
Westinghouse Electric Co.
Washington Operations
12300 Twinbrook Pkwy., Suite 330
Rockville, MD 20852

Mr. Joseph D. Hegner
Lead Engineer - Licensing
Dominion Generation
Early Site Permitting Project
5000 Dominion Boulevard
Glen Allen, VA 23060

Mr. Edward L. Quinn
Longenecker and Associates
Utility Operations Division
23292 Pompeii Drive
Dana Point, CA 92629

Mr. Paul Leventhal
Nuclear Control Institute
1000 Connecticut Avenue NW
Suite 410
Washington, DC 20036

Mr. Jay M. Gutierrez
Morgan, Lewis & Bockius, LLP
1111 Pennsylvania Avenue, NW
Washington, DC 20004

Mr. W. Edward Cummins
AP600 and AP1000 Projects
Westinghouse Electric Company
P.O. Box 355
Pittsburgh, PA 15230-0355

Mr. Gary Wright, Manager
Office of Nuclear Facility Safety
Illinois Department of Nuclear Safety
1035 Outer Park Drive
Springfield, IL 62704

Combination Mailing List:

cc: (page 2)

Mr. Brendan Hoffman
Research Associate on Nuclear Energy
Public Citizens Critical Mass Energy and
Environmental Program
215 Pennsylvania Avenue, SE
Washington, DC 20003

Mr. Lionel Batty
Nuclear Business Team
Graftech
12300 Snow Road
Parma, OH 44130

Mr. Ian M. Grant
Canadian Nuclear Safety Commission
280 Slater Street, Station B
P.O. Box 1046
Ottawa, Ontario
K1P 5S9

Mr. Glenn H. Archinoff
AECL Technologies
481 North Frederick Avenue
Suite 405
Gaithersburg, MD 20877

Mr. Ed Wallace, General Manager
Projects
PBMR Pty LTD
PO Box 9396
Centurion 0046
Republic of South Africa

Mr. Dobie McArthur
Director, Washington Operations
General Atomics
1899 Pennsylvania Avenue, NW, Suite 300
Washington, DC 20006

Mr. Russell Bell
Director
Nuclear Energy Institute
Suite 400
1776 I Street, NW
Washington, DC 20006-3708

Ms. Vanessa E. Quinn, Chief
Radiological Emergency
Preparedness Branch
Nuclear and Chemical Preparedness
and Protection Division
Department of Homeland Security
1800 South Bell Street, Room 837
Crystal City-Arlington, VA 22202

Mr. Ron Simard
6170 Masters Club Drive
Suwanee, GA 30024

Ms. Sandra Sloan
Areva NP, Inc.
3315 Old Forest Road
P.O. Box 10935
Lynchburg, VA 24506-0935

Ms. Anne W. Cottingham
Assistant General Counsel
Nuclear Energy Institute
1776 I Street, NW, Suite 400
Washington, DC 20006

Mr. David Repka
Winston & Strawn LLP
1700 K Street, NW
Washington, DC 20006-3817

Mr. Robert E. Sweeney
IBEX ESI
4641 Montgomery Avenue
Suite 350
Bethesda, MD 20814

Mr. Eugene S. Grecheck
Vice President
Nuclear Support Services
Dominion Energy, Inc
5000 Dominion Blvd.
Glen Allen, VA 23060

Combination List:

cc: (page 3)

E-Mail:

tom.miller@hq.doe.gov
tom.miller@nuclear.energy.gov
mark.beaumont@wsms.com
sfrantz@morganlewis.com
ksutton@morganlewis.com
jgutierrez@morganlewis.com
sandra.sloan@areva.com
mwetterhahn@winston.com
gcesare@enercon.com
whorin@winston.com
erg-xl@cox.net
steven.hucik@ge.com
david.hinds@ge.com
chris.maslak@ge.com
mgiles@entergy.com
patriciaL.campbell@ge.com
bob.brown@ge.com
jim@ncwarn.org
pshastings@duke-energy.com
ronald.hagen@eia.doe.gov
murawski@newsobserver.com
Cary.Fleming@constellation.com
tansel.selekler@nuclear.energy.gov
tansel.selekler@hq.doe.gov
trsmith@winston.com
James.Beard@gene.ge.com
george.stramback@gene.ge.com
david.lewis@pillsburylaw.com
paul.gaukler@pillsburylaw.com
john.o'Neill@pillsburylaw.com
matias.travieso-diaz@pillsburylaw.com
maria.webb@pillsburylaw.com
roberta.swain@ge.com
cee@nei.org