

February 28, 2013

MEMORANDUM TO: Anna H. Bradford, Branch Chief
Small Modular Reactor Licensing Branch 2
Division of Advanced Reactors and Rulemaking
Office of New Reactors

FROM: Wesley W. Held, Project Manager /RA/
Small Modular Reactor Licensing Branch 2
Division of Advanced Reactors and Rulemaking
Office of New Reactors

SUBJECT: SUMMARY OF DECEMBER 6, 2012, PUBLIC
TELECONFERENCE MEETING TO DISCUSS
MANUFACTURING LICENSE PROVISION IN TITLE 10 OF THE
CODE OF FEDERAL REGULATIONS 52, SUBPART F

On December 6, 2012, the U.S. Nuclear Regulatory Commission (NRC) staff held a public teleconference to discuss the manufacturing license provision in Title 10 of the *Code of Federal Regulations* (10 CFR) 52, Subpart F. The purpose of the teleconference was to discuss potential options for the continued use of the manufacturing license provision in 10 CFR Part 52.

Summary

Mr. Wesley Held, Small Modular Reactor Licensing Branch 2 (SMRLB2), Division of Advanced Reactors and Rulemaking (DARR), Office of New Reactors (NRO), opened the teleconference. Mr. Held provided some background information on the history of the manufacturing license provision and recent staff activities. Following his presentation, Mr. Held opened the discussion to all participants to discuss specific areas of focus on the provision. The feedback received on the areas of focus identified by staff can be found in Enclosure 1. Questions from external stakeholders and NRC staff responses can be found in Enclosure 2.

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Mr. Held, project manager in DARR in NRO stated that meetings such as this are a unique opportunity for the NRC staff to engage stakeholders to help shape the future of the provision. Stakeholder feedback would be considered in deciding whether to proceed with changes to the provision or possibly removing it from the regulations. Mr. Held discussed the agenda and the plan for asking and answering questions.

Mr. Held provided information on the history and use of the provision, as well as some discussion of recent staff activities. The presentation included a discussion on when and why the provision was added to the regulations, provided information on the only use of the provision to date, and explained its subsequent move to Part 52. Mr. Held noted that even though the sole application was approved and a license issued, no reactors were ever built. The background information included a discussion of recent staff activities, including the inclusion of the topic in recent SECY papers and brief discussions at public meetings.

Mr. Held discussed five areas of focus that had been identified for discussion. These included the scope of the provision, need for manufacturing license and other licenses, contents of application, use of Inspections, Test, Analyses, and Acceptance Criteria (ITAAC), and finality and duration of license. Mr. Held also invited all participants to share ideas for others areas they felt warranted discussion.

The staff received the following feedback:

Scope of Provision

- The manufacturing license (ML) process could be modified to possibly shift some burden from the combined license (COL) phase up to the ML phase.

Need for manufacturing license and other licenses (Transportation, Material, Import, etc.)

- Part 70 considerations for shipping reactors with fuel will need to be evaluated.

Contents of Application (Additions/Changes/Deletions?)

- It may make sense to move some issues from the COL phase to an earlier process such as ML.

Use of ITAAC (When, How, and How Many?)

- There is the potential for more in-depth ITAAC, but there may be fewer ITAAC overall.

Duration/Finality/Renewal of License

- No substantial feedback received.

Other Identified Topics

- Some reactor designs might be used for both electric generation and process heat.

The staff answered a number of questions from external stakeholders related to the provision and received high level feedback on the how the staff should proceed in making changes to the provision. This feedback included suggestions to leave the provision in place for now as future

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applicants may be interested in utilizing it and to not have staff devote resources to making changes at this time.

A participant list is included in the Enclosure.

Enclosure:
Participant List

cc w/encl: NEI New Reactors Mailing List

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A participant list is included in the Enclosure.

Enclosure:
Participant List

cc w/encl: NEI New Reactors Mailing List

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DATE	2/28/2013	2/28/2013

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Participant List

Public Teleconference to Discuss Manufacturing License Provision In 10 CFR Part 52, Subpart F

December 6, 2012

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T Boyle	NRC/NRO/DARR
G Mizuno	NRC/OGC
M Carpentier	NRC/OGC
TJ Kim	NEI
A Cottingham	NEI
R Sisk	Westinghouse
E Burns	Westinghouse
G Becker	NuScale
W Freebairn	Nucleonics Week
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Enclosure

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(Revised 02/27/2013)

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