

August 12, 2015

MEMORANDUM TO: Joseph Colaccino, Chief  
New Reactor Rulemaking and Guidance Branch  
Division of Advanced Reactors and Rulemaking  
Office of New Reactors

FROM: George Tartal, Project Manager **/RA/**  
New Reactor Rulemaking and Guidance Branch  
Division of Advanced Reactors and Rulemaking  
Office of New Reactors

SUBJECT: Summary of Meeting to Discuss the Draft Regulatory Basis on  
Financial Qualifications for Reactor Licensing

On July 8, 2015, the Nuclear Regulatory Commission (NRC) staff conducted a Category 3 public meeting at NRC headquarters in Rockville, MD regarding the staff's draft regulatory basis on financial qualifications for reactor licensing. The purpose of this meeting was to discuss the subject draft regulatory basis to better inform public comments on this topic as requested in the *Federal Register* notice (80 FR 34559; June 17, 2015) announcing its availability. The public comment period expires on August 3, 2015.

The meeting was noticed at ADAMS Accession No. ML15187A347. The meeting included a presentation from the NRC, and the associated slides are publicly available at Agencywide Documents Access and Management System (ADAMS) Accession No. ML15187A240.

Approximately 18 people participated in the meeting; both in-person and remotely using a teleconference line. Meeting participants included NRC staff and management, representatives of the nuclear industry including the Nuclear Energy Institute (NEI), as well as members of the public. No formal comments were solicited during the meeting, as the NRC staff clarified that formal public comments should instead be provided as directed in the aforementioned *Federal Register* notice.

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**Summary of Presentations:**

The NRC staff in its presentation began by summarizing background information in SECY-13-0124, "Policy Options for Merchant (Non-Electric Utility) Plant Financial Qualifications," (ADAMS Accession No. ML13057A006) and its associated staff requirements memorandum (ADAMS Accession No. ML14114A358). The NRC staff then discussed the current regulatory framework for financial qualification requirements. Next the NRC staff described the reasons for amending these requirements. Then the NRC staff described the regulatory basis for the new review standard of appears to be financially qualified for merchant applicants, utility applicants, non-power production and utilization facility applicants, license transfer applicants, and change of status applicants. Finally, the NRC staff concluded its presentation discussing the planned schedule milestones for finalizing the regulatory basis.

**Public Participation Themes:**

During the NRC staff's presentation various nuclear industry representatives and members of the public asked questions and requested clarification on the presentation. The questions and comments are summarized as follows:

- A member of the public stated that there is no clear, demonstrated need for such a rulemaking when applications such as those for the proposed new reactors at Calvert Cliffs and Bell Bend have been able to move forward. The NRC clarified that financial qualifications have always been a problem for these applicants, and that if the need for rulemaking is not clear, the interested party should provide comments on the draft regulatory basis.
- A member of the public was concerned that this appeared to be the first interaction with non-power reactor licensees, and that many non-power reactor licensees may be unaware of the rulemaking. The individual suggested the NRC staff reach out to the non-power reactor licensees through the research and test reactor branch in NRR. The individual also suggested the NRC consider extending the comment period for those licensees.
- A member of the public asked if financial qualifications were related to annual fees. The NRC staff clarified that financial qualifications and annual fees are not related.
- A member of the nuclear industry stated that this rulemaking is an appropriate and necessary allocation of NRC resources.
- A member of the public stated that the Department of Energy has offered subsidies for building new reactors. These subsidies should be considered in the proposed rule.

**Action Items/Next Steps:**

- The public comment period closes on August 3, 2015.
- NRC plans to publish the final regulatory basis in December 2015.

Enclosure:

List of attendees

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cc: See next page, w/encl.

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**ADAMS Accession No.:** ML15219A643

**\*via e-mail NRO-002**

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DATE	8/10/15	8/10/15	8/12/15

**OFFICIAL RECORD**

**NEI New Reactors Mailing List**

(Revised 06/04/2015)

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Michael Purdie	NEI
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Mark Delligatti	NRC
Laurel Bauer	NRC
Allen Howe	NRC
Kosmas Lois	NRC
Rich Turtill	NRC
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Anthony Bowers	NRC
Tim Judson	NIRS
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George Tartal	NRC
Dawn Forder	NRC
Don Gregoire*	Columbia Generating Station
Daniel Cronin*	University of Florida

\* Participated by teleconference

Enclosure