



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

September 5, 2023

Mr. Mason Baker
President, Carbon Free Power Project, LLC
155 North 400 West, Suite 480
Salt Lake City, UT 84103

SUBJECT: ACCEPTANCE FOR DOCKETING OF THE CARBON FREE POWER PROJECT
LIMITED WORK AUTHORIZATION APPLICATION (DOCKET NO. 99902052)

Dear Mr. Baker:

On July 31, 2023, Carbon Free Power Project, LLC (CFPP), submitted a limited work authorization (LWA) application¹ and NuScale Power, LLC (NuScale), on behalf of CFPP, submitted a related exemption request² to the U.S. Nuclear Regulatory Commission (NRC) for review and approval pursuant to Title 10 of the *Code of Federal Regulation* (10 CFR) Part 50, "Domestic Licensing of Production and Utilization Facilities." CFPP seeks the NRC's authorization to begin certain early construction activities at the CFPP site to be located within the Idaho National Laboratory complex near Idaho Falls, Idaho.

Consistent with 10 CFR 2.643, the NRC staff performed an acceptance review to determine if the LWA application for the CFPP contains, in accordance with 2.101(a)(9) and 50.10(d), sufficient technical information to allow the NRC staff to conduct its detailed technical review and complete it on a predictable schedule. The purpose of this letter is to inform you that the NRC staff has accepted for docketing CFPP's LWA application and plans to begin its detailed technical review. Docketing of the LWA application does not constitute an indication whether the Commission will grant or deny the LWA application. A Notice of Acceptance for docketing of the LWA will be published in the *Federal Register*. The NRC will also publish a future *Federal Register* notice of hearing and opportunity to petition for leave to intervene in a proceeding on the LWA application.

The NRC staff's goal is to conduct and complete an efficient and high-quality review of the LWA application by August 2025. Regarding the staff's timeline for completing the review of the exemption request, the staff notes that NuScale had requested the staff to complete its review of the exemption request by December 2024³. As noted in the following table, the staff has established a more aggressive exemption review schedule than requested by NuScale and CFPP. The staff has confidence that both schedules can be achieved through a risk-informed review and constructive engagement between CFPP and the NRC staff. However, the dates set forth in the list of milestones below could change due to various factors, such as the timeframe for resolution of any complex technical issues, any engagements with the Advisory Committee on Reactor Safeguards, changes to the design and scope of the review, any supplements to the application, or hearings on the LWA application.

¹ Agencywide Documents Access and Management System (ADAMS) Accession No. ML23212A008

² ADAMS Accession No. ML23212A003

³ ADAMS Accession No. ML23081A094

The key milestones for the staff's review of the exemption request and the LWA application are provided below.

Exemption Request Milestone	Target Completion Date
Issue request(s) for additional information (RAIs) to CFPP	October 20, 2023
Receive complete and sufficient CFPP response to the RAIs	November 24, 2023
Issue Environmental Assessment and Finding of No Significant Impact	July 31, 2024
NRC staff decision on granting the exemption request	August 16, 2024

LWA Application Milestone	Target Completion Date
Issue RAIs to CFPP	October 20, 2023
Receive complete and sufficient CFPP response to the RAIs	November 24, 2023
Publish advance safety evaluation report (SER)	July 26, 2024
Issue draft environmental impact statement (EIS)	July 26, 2024
Issue final SER	August 31, 2024
Issue final EIS	March 14, 2025
Hearings and initial decision	To Be Determined
NRC decision on the LWA application	August 29, 2025

The NRC staff notes that specific milestones for hearing activities are not included in the above schedule because such dates would be established by the presiding officer; hearing requirements could potentially affect the projected dates set forth above. The NRC staff estimates that it will require approximately 1,200 staff-hours to complete its review of the exemption request, and approximately 3,000 staff-hours to complete its review of the LWA application. These estimates include both safety and environmental reviews. Additionally, the staff estimates it will require approximately \$1.2 million for contractor support, specifically, to prepare an environmental assessment and environmental impact statement associated with the exemption request and the LWA application.

The NRC staff plans to coordinate its environmental reviews associated with the exemption request and the LWA application in accordance with Addendum 7 to the Memorandum of Understanding with the U.S. Department of Energy (DOE), entitled, "Establishing Roles and Responsibilities for National Environmental Policy Act (NEPA) Implementation Requirements for Reactor Demonstration Projects Supported by DOE,"⁴ which was signed by the NRC and DOE in July 2023. The staff anticipates that the environmental work done for the LWA can be utilized in the future CFPP planned combined license application to enhance the efficiency of that review.

⁴ ADAMS Accession No. ML23213A147

If you have any questions, I can be reached at (301) 415-6616 or by email at Omid.Tabatabai@nrc.gov.

Sincerely,

/RA/

Omid Tabatabai, Senior Project Manager
New Reactor Licensing Branch
Division of New and Renewed Licenses
Office of Nuclear Reactor Regulation

Docket No: 99902052

cc: CFPP Listserv

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 DATED: SEPTEMBER 5 2023

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