

July 31, 2000

Mr. C. Lance Terry
Senior Vice President &
Principal Nuclear Officer
TXU Electric Company
ATTN: Regulatory Affairs Department
P. O. Box 1002
Glen Rose, TX 76043

Dear Mr. Terry:

I am responding to your May 10, 2000, letter which requests a refund of all fees charged for the review of a Topical Report, "Control of Hazard Barriers." By letter dated August 14, 1998, Texas Utilities Electric Company (TXU) submitted the topical report and requested approval as a plant specific licensing action for use at the Comanche Peak Steam Electric Station. Based on the following, your request is granted.

In a May 18, 2000, letter to TXU, Mr. Stuart A. Richards, Director, Project Directorate IV & Decommissioning, NRR, states:

These hazard barriers are typically removable floors, walls, or doors that protect safety-related equipment from hazards such as those associated with high-energy line breaks. The Topical Report addresses the nature of hazard barriers and the implications for operability of safety-related equipment associated with control of these barriers. Submittal of this Topical Report by TXU, represents a forward-looking and thoughtful approach to a difficult issue. After reviewing the Topical Report, the Nuclear Regulatory Commission (NRC) staff has concluded that guidance developed on Title 10 of the *Code of Federal Regulations* (10 CFR) Part 50, Section 50.59, "Changes, tests and experiments," and guidance on 10 CFR 50.65, "Requirements for monitoring the effectiveness of maintenance at nuclear power plants," should provide sufficient guidance regarding the NRC's position on the control of hazard barriers. The NRC staff intends to prepare a Regulatory Issue Summary to address these issues associated with control of hazard barriers.

The NRC staff agrees that the information provided in the Topical Report led to the conclusion that the resolution of this issue is generic in nature and not plant specific. Moreover, NRC will be providing generic guidance to the industry in the near term, and review of the Topical Report will have helped the NRC staff develop the guidance.

Therefore, in accordance with 10 CFR 170.11(b)(1) and 170.21, Footnote 4, I hereby grant a waiver of the total fee assessed under TACs MA3528, and MA3529. The attached summary billing reports for MA3528 and MA3529 show \$37,880 to be the total amount billed. A refund of \$37,880 will be sent to you within 30 days of the date of this letter.

If you have any questions, please contact Ellen Poteat of my staff at 301-415-6392.

C. L. Terry

-2-

Sincerely,

R/A

Jesse L. Funches
Chief Financial Officer

Docket Nos. 50-445 and 50-446

Attachments: Summary Billing Reports (2)

cc: See attached list

C. L. Terry

-2-

If you have any questions, please contact Ellen Poteat of my staff at 301-415-6392.

Sincerely,

R/A

Jesse L. Funches
Chief Financial Officer

Docket Nos. 50-445 and 50-446

Attachments: Summary Billing Reports (2)

cc: See attached list

DISTRIBUTION:

Docket Files

Invoice Files: RL0606-99, RL0607-99, RL0234-99, RL0441-99,
RL0099-99, RL0447-00, RL0275-00, RL0092-00

L. Tremper, OCFO

D. Jaffe, NRR PDIV-1/PM

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OCFO/DAF RF (DAF 0-142)

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C. L. Terry

Comanche Peak Steam Electric Station

cc:

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Honorable Dale McPherson
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