

February 28, 2003

Thomas C. Poindexter
Patricia L. Campbell
Winston & Strawn
1400 L Street, N.W.
Washington, DC 20005-3502

Dear Mr. Poindexter and Ms. Campbell:

This letter acknowledges receipt of your letter dated January 29, 2003, addressed to me, which provided comments on a memorandum dated December 31, 2002, "Response to the Task Interface Agreement (TIA 2002-02) Regarding the Minimum On-Shift and Augmentation Staffing for Radiological Emergencies at R. E. Ginna Nuclear Power Plant."

As noted in the response to the TIA, the Nuclear Regulatory Commission (NRC) staff has not determined what action to take, if any. If the staff proposes a backfit, we will comply with the requirements of the Backfit Rule, Title 10 of the *Code of Federal Regulations*, Part 50, Section 109. Therefore, any further discussion of backfitting would be speculative at this time.

Your letter was forwarded to the NRC's Office of the General Counsel (OGC) for its consideration, and this response has been coordinated with OGC.

Sincerely,

/RA by SRichards for/

Ledyard B. Marsh, Deputy Director
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

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