

June 6, 2003

Mr. Felix Killar
Director of Materials Licenses & Nuclear Insurance
Nuclear Energy Institute
Suite 400
1776 I Street, N.W.
Washington, DC 20006-3708

SUBJECT: REQUEST FOR PUBLIC COMMENT - 10 CFR PART 70 BACKFIT GUIDANCE

Dear Mr. Killar:

The U.S. Nuclear Regulatory Commission (NRC) staff has developed a draft internal staff procedure for the application of 10 CFR Part 70, Subpart 76, Backfitting. The NRC has published in the **Federal Register** a 30 day notice of the availability of this internal procedure for stakeholder review and comment. The staff has also placed the draft document in the NRC public document room, NRC's ADAMS public document retrieval system, and on the NRC Nuclear Materials Safety and Safeguards' website.

A copy of the draft internal staff procedure, called NMSS Policy and Procedure Letter (PPL) 1-82, "10 CFR Part 70 Backfit Guidance," is enclosed for your information (Enclosure). In writing PPL 1-82, the staff applied the guidance in already existing guidance, that is, Management Directive 8.4, "NRC Program for Management of Plant-Specific Backfitting of Nuclear Power Plants," with appropriate modifications for the nuclear materials arena and to improve usability.

By this letter, we are requesting your comments on this document. Your comments will be included with other public comments that we receive as a result of the Federal Register Notice.

If you have any questions regarding this matter, please contact Billy Gleaves of my staff at (301) 415-5848 or by e-mail at bcb@nrc.gov.

In accordance with 10 CFR 2.790 of the NRC's "Rules of Practice," a copy of this letter will be available electronically for public inspection in the NRC Public Document Room or from the Publicly Available Records (PARS) component of NRC's document system (ADAMS). ADAMS is accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html> (the Public Electronic Reading Room).

Sincerely,

/RA/

Susan M. Frant, Chief
Fuel Cycle Facilities Branch
Division of Fuel Cycle Safety
and Safeguards
Office of Nuclear Materials Safety
and Safeguards

Enclosure: Draft 10 CFR Part 70 Backfit Guidance

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*see previous concurrence

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