

Duke Energy Company      Oconee 1, 2, 3  
Entergy Operations, Inc.      ANO-1  
Florida Power Corporation      Crystal River 3



AmerGen Energy Company, LLC      TMI-1  
FirstEnergy Nuclear Operating Company      D-B  
Framatome ANP

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## Working Together to Economically Provide Reliable and Safe Electrical Power

May 2, 2003  
OG:03:1834  
NRC:03:029

**Brian J. Benney**  
Project Directorate IV  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555-0001

Ref.: 1. Letter, B&WOG (W. R. McCollum) to NRC (Document Control Desk), "Review of BAW-2374," OG-03-1833/NRC:03:014, March 13, 2003.

### **Authorization of Review Time**

Dear Mr. Benney:

The B&WOG would like to reach agreement with the NRC on a detailed approach for the performance of analyses required to replace BAW-2374, a topical report that has been withdrawn from NRC review. Prior to initiating these analyses, the NRC will need to review the approach proposed by the B&WOG (see reference), which was taken directly from draft materials discussed with the NRC on February 6, 2003.

To review the referenced letter, to hold discussions with the B&WOG (as necessary), and to prepare a letter to the B&WOG agreeing with the proposed approach, the NRC will need to expend time to conduct reviews and to hold discussions. This letter provides B&WOG authorization for the NRC to devote the required time to conduct the three tasks enumerated above so that an agreement can be reached with the B&WOG on an analytical approach that is expected to successfully replace BAW-2374 (that is, adequate to receive NRC acceptance to the extent the results demonstrate adequate plant protection).

The B&WOG understands that there may be some disagreement within the NRC about the proposed scope of work developed by the NRC and presented to the B&WOG on February 6. The B&WOG does not believe it is appropriate to support further discussions internal to the NRC concerning disagreements; the NRC has already reached a decision on the appropriate success path. If there is a genuine lack of understanding of the approach set forth in the referenced letter, then it may be appropriate to proceed with discussions with the B&WOG, and this would be a legitimate expenditure of review time.

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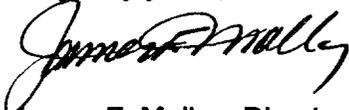
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The B&WOG requests that an estimate be provided by the end of each calendar month for the NRC time expected to be needed (in person-hours) for the subsequent month. (Alternatively, a similar arrangement for projecting anticipated review times could be mutually agreed upon.)

Upon reaching agreement on a satisfactory approach, this authorization can be extended to cover discussions between the NRC and the B&WOG as the analyses proceed.

Very truly yours,



James F. Mallay, Director  
Regulatory Affairs (on behalf of the B&WOG)

cc: Project 693