

January 28, 2004

Mr. James W. Davis, Director
Operations Department
Nuclear Energy Institute
1776 I Street, Suite 400
Washington, DC 20006-3708

Dear Mr. Davis,

I am responding to your letter dated November 24, 2003 (ADAMS Accession No. ML033290266), requesting NRC "determination" on Enclosure 1 to your letter as an acceptable approach for licensees to meet the Section C.2 requirements of the October 23, 2003, Revision 1 to Order EA-03-038. You defined key terms in your letter and discussed in detail how these terms would be used in your proposed approach to satisfy the Section C.2 requirements of the Revision 1 to Order EA-03-038. The NRC staff has completed its review of your proposal and concludes that this approach is acceptable.

Please contact Garmon West at (301) 415-0211, of my staff with any inquiries that may arise regarding this letter.

Sincerely,

/RA/

Joseph W. Shea, Project Director
Division of Nuclear Security
Office of Nuclear Security
and Incident Response

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ADAMS Accession No: ML033280704

*See previous concurrence

OFFICE	LPSS:DNS	NRR	NRR	PD:DNS
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DATE	11/28/03	12/08/03	12/18/03	1/23/04

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