

April 7, 2004

MEMORANDUM TO: Martin J. Virgilio, Director
Office of Nuclear Material Safety
and Safeguards

FROM: Robert C. Pierson, Director **/RA/**
Division of Fuel Cycle Safety
and Safeguards
Office of Nuclear Material Safety
and Safeguards

SUBJECT: NEW NMSS POLICY AND PROCEDURES LETTER 1-82,
"10 CFR PART 70 BACKFIT GUIDANCE"

Attached is the new Nuclear Material Safety and Safeguards (NMSS) Policy and Procedures Letter (P&P) 1-82, "10 CFR Part 70 Backfit Guidance." The final P&P 1-82 provides guidance to the Nuclear Regulatory Commission staff for implementing the backfit provisions in Title 10 of the Code of Federal Regulations (CFR), Part 70, Subpart 76. As a result of this final issuance and as discussed in 10 CFR 70.76, backfit provisions are now effective for all Part 70 requirements, except for Subpart H, and following Nuclear Regulatory Commission approval of a licensee's Integrated Safety Assessment summary, the requirements of 10 CFR 70.76 become effective for Subpart H requirements.

This P&P fully addresses the recommendations and comments made at the 394th meeting of the Committee to Review Generic Requirements (CRGR) on March 8, 2004. CRGR approved this P&P with changes on March 31, 2004.

With your approval, the Division of Fuel Cycle Safety and Safeguards will send an NMSS Box Announcement informing the staff of its availability.

Attachment: NMSS P&P 1-82

CONTACT: Billy Gleaves, NMSS/FCSS
(301) 415-5848

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*see previous concurrence

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DATE	3/17/04		3/22/04		4/5/04		4/6/04		4/7/04	

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