

April 30, 2004

MEMORANDUM TO: Michael T. Lesar, Chief
Rules and Directives Branch
Division of Administrative Services
Office of Administration

FROM: Joseph J. Holonich, Deputy Director **/RA/**
Division of Fuel Cycle Safety
and Safeguards
Office of Nuclear Material Safety
and Safeguards

SUBJECT: FEDERAL REGISTER NOTICE OF FINAL ISSUANCE OF NMSS
POLICY AND PROCEDURES LETTER, 1-82, TITLED, "10 CFR PART
70 BACKFIT GUIDANCE"

Attached is a signed original of the subject Federal Register notice of the final issuance of the NMSS Policy and Procedures Letter 1-82, "10 CFR Part 70 Backfit Guidance" for your transmittal to the Office of the Federal Register for publication. Also attached are four copies of the signed notice and an electronic version on a floppy diskette with the notice in Word Perfect.

Attachments:
1. Signed original FRN
2. 4 copies of FRN
3. Diskette

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

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*see previous concurrence

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NAME	B. Gleaves*		J. Muszkiewicz*		J. Lubinski*		G. Janosko		J. Holonich	
DATE	4/16/04		4/28/04		4/28/04		4/28/04		4/30/04	

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NUCLEAR REGULATORY COMMISSION
OFFICE OF NUCLEAR MATERIAL SAFETY AND SAFEGUARDS
NOTICE OF ISSUANCE OF 10 CFR PART 70 BACKFIT GUIDANCE

AGENCY: Nuclear Regulatory Commission

ACTION: Notice of Final Issuance

SUMMARY: The U. S. Nuclear Regulatory Commission's (NRC) Office of Nuclear Material Safety and Safeguards (NMSS) has issued the final document, NMSS 10 CFR Part 70 Backfit Guidance.

The final document provides guidance for implementing the backfit provisions in Title 10 of the Code of Federal Regulations, Part 70, Section 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 NRC approval of a licensee's Independent Safety Analysis (ISA) Summary, the requirements of 10 CFR 70.76 become effective for Subpart H requirements.

ADDRESSES: A copy of the final document is available for public inspection and copying from the Publicly Available Records (PARS) component of NRC's document system (ADAMS). ADAMS is accessible from the NRC Web site at www.nrc.gov/reading-rm/adams.html. The ADAMS Accession Number is ML040980122. Documents can also be viewed electronically on the public computers located at the NRC's Public Document Room (PDR), O-1F21, One White Flint North, 11555 Rockville Pike, Rockville, MD 20852. The PDR reproduction contractor will

copy documents for a fee. Persons who do not have access to ADAMS, should contact the NRC PDR Reference staff by telephone at 1 (800) 397-4209, or (301) 415-4737, or by email to pdr@nrc.gov.

FOR FURTHER INFORMATION CONTACT: William Gleaves, Office of Nuclear Material Safety and Safeguards, Division of Fuel Cycle Safety and Safeguards, Mail Stop T-8 A33, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, Telephone (301) 415-5848, or by e-mail at bcg@nrc.gov.

Dated at Rockville, Maryland, this 30th day of April, 2004.

FOR THE NUCLEAR REGULATORY COMMISSION

/RA/

Joseph J. Holonich, Deputy Director
Division of Fuel Cycle Safety
and Safeguards
Office of Nuclear Material Safety
and Safeguards