

September 2, 2004

Mr. Alexander Marion  
Nuclear Energy Institute  
1776 I Street, NW, Suite 400  
Washington, DC 20006-3708

Dear Mr. Marion:

I am responding to your June 8, 2004, letter requesting a fee waiver under 10 CFR 170.11 for software and reports directly relating to the topical report (TR) TR-103237, "NRC Safety Evaluation on EPRI [Electric Power Research Institute] MOV [Motor Operated Valve] Performance Prediction Program." The software consists of SW-1006648, "PPM [Performance Prediction Methodology] Version 3.1," and SW-1009209, "PPM Version 3.2." The reports consist of "PPM Version 3.0 User Manual and Implementation Guide," "Addendum 5 to TR-103237-R2: PPM Version 3.1 Software Changes," and "Addendum 6 to TR-103237-R2: PPM Version 3.2 Software Changes," numbered 1006206, 1006930, and 1009032, respectively. For the reasons stated below, I am granting a fee waiver for the Office of Nuclear Reactor Regulation staff's review of the above submittals in accordance with the applicable provisions of 10 CFR 170.11.

Consistent with the intent of 10 CFR 170.11(a)(1)(i), EPRI initiated the PPM effort in response to NRC Generic Letter 89-10 to assist licensees in sizing and setting MOVs that could not be dynamically tested under design-basis conditions. During its acceptance review, the Office of Nuclear Reactor Regulation determined that the above submittals support NRC's generic regulatory improvement program in accordance with 10 CFR 170.11(a)(1)(iii). Specifically, these submittals will allow preparation of a fourth Supplement to the NRC Safety Evaluation on the EPRI MOV Performance Prediction Program Topical Report.

If you have any questions regarding this matter, please contact Quynh Nguyen of my staff at 301-415-3373.

Sincerely,

***/RA/ P. Rabideau (for)***

Jesse L. Funches  
Chief Financial Officer

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**\*See Previous Concurrence**

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