

January 3, 2005

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

Dear Mr. Marion:

I am responding to your April 22, 2002, letter recently provided to the NRC's Office of the Chief Financial Officer (OCFO) requesting a fee waiver for review of the topical report, EPRI TR-1002865, *Topical Report on Reactivity Initiated Accidents: Bases for RIA Fuel Rod Failures and Core Coolability Criteria*. For the reasons below, I am granting a fee waiver for the technical staff's review in accordance with the applicable provisions of 10 CFR 170.11.

The specified criteria were developed by Electric Power Research Institute as part of an effort to extend fuel rod average burnup levels beyond the current limit of 62 gigawatt days per metric ton uranium (GWD/MTU). The NRC's Office of the Nuclear Reactor Regulations (NRR) plans to use this report to develop improved RIA criteria for current fuel burnup levels in addition to burnup levels beyond 62 GWD/MTU. Therefore, review of the reports supports the NRC's generic regulatory improvement efforts and may result in modification of the "NUREG-0800 - Standard Review Plan for the Review of Safety Analysis Reports for Nuclear Power Plants." This is consistent with the fee exemption requirements noted in 10 CFR 170.11(a)(1)(iii).

In the future, please submit all fee waiver requests directly to the OCFO, with a copy furnished to NRR, in accordance with 10 CFR 170.5. This will help expedite the staff review process for fee waivers.

If you have any technical questions regarding this request, please contact Mr. Thomas Alexion at 301-415-1326. For fee-waiver related questions, please contact Ms. Renu Suri of my staff at 301-415-0161.

Sincerely,

/RA/

Jesse L. Funches
Chief Financial Officer

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Sincerely,
/RA/
Jesse L. Funches
Chief Financial Officer

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