

January 3, 2005

Mr. Anthony Pietrangelo
Senior Director, Risk and Performance
Based Regulation
Nuclear Energy Institute
1776 I Street, NW
Washington, D.C. 20006-3708

Dear Mr. Pietrangelo:

I am responding to your April 27, 2004, letter recently provided to the NRC's Office of the Chief Financial Officer (OCFO) requesting a fee waiver under 10 CFR 170.11 for review of draft Revision 1 to NEI 94-01 (Industry Guideline for Implementing Performance-Based Option of 10 CFR Part 50, Appendix J) and EPRI Report, Product No. 1009325 (Risk Impact Assessment of Extended Integrated Leak Rate Testing Intervals). For the reasons below, I am granting a fee waiver for the NRC technical staff's review in accordance with the applicable provisions of 10 CFR 170.11.

During its acceptance review, the staff determined that the review and endorsement of this revision and report may result in modifying NRC's Regulatory Guide 1.163. Therefore, review of the reports supports the NRC's generic regulatory improvement efforts and is consistent with the fee exemption requirements noted in 10 CFR 170.11(a)(1)(iii).

To expedite review of future fee waiver requests, please submit directly to the OCFO, with a copy furnished to the NRC's Office of Nuclear Reactor Regulation, in accordance with 10 CFR 170.5.

If you have any technical questions regarding this request, please contact Ms. Lynn A. Mrowca at 301-415-4061. 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

January 3, 2005

Mr. Anthony Pietrangelo
Senior Director, Risk and Performance
Based Regulation
Nuclear Energy Institute
1776 I Street, NW
Washington, D.C. 20006-3708

Dear Mr. Pietrangelo:

I am responding to your April 27, 2004, letter recently provided to the NRC's Office of the Chief Financial Officer (OCFO) requesting a fee waiver under 10 CFR 170.11 for review of draft Revision 1 to NEI 94-01 (Industry Guideline for Implementing Performance-Based Option of 10 CFR Part 50, Appendix J) and EPRI Report, Product No. 1009325 (Risk Impact Assessment of Extended Integrated Leak Rate Testing Intervals). For the reasons below, I am granting a fee waiver for the NRC technical staff's review in accordance with the applicable provisions of 10 CFR 170.11.

During its acceptance review, the staff determined that the review and endorsement of this revision and report may result in modifying NRC's Regulatory Guide 1.163. Therefore, review of the reports supports the NRC's generic regulatory improvement efforts and is consistent with the fee exemption requirements noted in 10 CFR 170.11(a)(1)(iii).

To expedite review of future fee waiver requests, please submit directly to the OCFO, with a copy furnished to the NRC's Office of Nuclear Reactor Regulation, in accordance with 10 CFR 170.5.

If you have any technical questions regarding this request, please contact Ms. Lynn A. Mrowca at 301-415-4061. 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

Distribution:

L. Tremper T. Croote OCFO\DFM\LFT RF OCFO\DFM RF OCFO RF
S. Crutchfield E. Poteatfs PSAB RF OCFO/DFM/LFT SF 3.2.8

OCFO DFM-4-163 (closes)

***See previous concurrence**

DOCUMENT NAME: C:\FileNet\ML050040067.wpd

ADAMS Yes No Initials rs Publicly Available Non-Publicly Available Sensitive Non-Sensitive

IDENTICAL LETTERS issued: see next page

To receive a copy of this document, indicate in the box: "C" = Copy w/o att/enc "E" = Copy w/ att/enc "N" = No copy.

| | | | | | | | | |
|---------------|--------------|--|-------------------|--|---------------------|---|--------------|---|
| OFFICE | OCFO/DFM/LFT | | NRR/DSSA/PSAB | | NRR/DSSA/PSAB | | OCFO/DFM/LFT | |
| NAME | RSuri* | | LMrowca* (e-mail) | | Mtschlitz* (e-mail) | | RDCarlson* | |
| DATE | 12/01/04 | | 11/29/04 | | 11/29/04 | | 12/01/04 | |
| OFFICE | OCFO/DFM | | OCFO/DFM | | DCFO | N | CFO | N |
| NAME | ACRossi* | | MGivvines* | | PJRabideau* | | JLFunches | |
| DATE | 12/01/04 | | 12/01/04 | | 12/14/04 | | 01/03/05 | |