

May 10, 2006

Mr. Anthony Pietrangelo, Senior Director
Risk Regulation
Nuclear Energy Institute
Suite 400
1776 I Street, NW
Washington, DC 20006-3708

SUBJECT: ACCEPTANCE FOR REVIEW OF NUCLEAR ENERGY INSTITUTE (NEI) TOPICAL REPORT NEI 94-01, REVISION 1j, "INDUSTRY GUIDELINE FOR IMPLEMENTING PERFORMANCE-BASED OPTION OF 10 CFR PART 50, APPENDIX J," AND EPRI REPORT 1009325, REVISION 1, "RISK IMPACT ASSESSMENT OF EXTENDED INTEGRATED LEAK RATE TESTING INTERVALS" (TAC NO. MC9663)

Dear Mr. Pietrangelo:

By letter dated December 19, 2005, NEI submitted for U.S. Nuclear Regulatory Commission (NRC) staff review Topical Report (TR) NEI 94-01, Revision 1j, "Industry Guideline for Implementing Performance-Based Option of 10 CFR Part 50, Appendix J," and EPRI Report 1009325, Revision 1, "Risk Impact Assessment of Extended Integrated Leak Rate Testing Intervals." The NRC staff has performed an acceptance review of the NEI 94-01 and EPRI 1009325. We have found that the material presented is sufficient to begin our comprehensive review. The NRC staff expects to issue its request for additional information by August 18, 2006, and issue its draft safety evaluation by January 12, 2007, and estimates that the review will require approximately 480 staff hours including project management time. The review schedule milestones and estimated review costs were discussed and agreed upon in a telephone conference between Tony Harris and the NRC staff on April 19, 2006.

In accordance with the letter dated January 3, 2005 (Agencywide Documents Access and Management System Accession No. ML050040067), the fee branch has waived the Section 170.21 of Title 10 of the *Code of Federal Regulations* fees associated with this TR review.

Sincerely,

/RA/

Ho K. Nieh, Deputy Director
Division of Policy and Rulemaking
Office of Nuclear Reactor Regulation

Project Nos. 669 and 689

cc: See next page

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