



NUCLEAR ENERGY INSTITUTE

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July 5, 2006

Dr. P.T. Kuo  
Deputy Director, Division of License Renewal  
Office of Nuclear Reactor Regulation  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555-001

**SUBJECT:** NEI Position on Implementation of 10 CFR 54.37(b)

**PROJECT NUMBER: 690**

Dear Dr. Kuo:

Enclosed is a Nuclear Energy Institute (NEI)<sup>1</sup> position paper on the implementation of 54.37(b). The position paper discusses the meaning of the words “newly identified” and establishes a common industry position on implementation of 10 CFR 54.37(b). NEI is articulating this position to the NRC because it is unclear as to the intent of the words “newly identified” and there is conflicting information contained within NRC documents as to how to interpret its meaning. We believe now is an appropriate time to formally address and gain clarity since several renewed licensees have already implemented or are in the process of implementation of 10 CFR 54.37(b). This clarity will be helpful during the upcoming audits of the implementation process. NEI is open to working with the NRC in developing guidance that provides consistency and clarity to the License Renewal Implementation Process.

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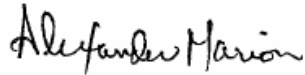
<sup>1</sup> NEI is the organization responsible for establishing unified nuclear industry policy on matters affecting the nuclear energy industry, including the regulatory aspects of generic operational and technical issues. NEI's members include all utilities licensed to operate commercial nuclear power plants in the United States, nuclear plant designers, major architect/engineering firms, fuel fabrication facilities, materials licensees, and other organizations and individuals involved in the nuclear energy industry.

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NEI asks that the NRC review the enclosure. Our objective is to obtain NRC acceptance that can be documented in a Regulatory Issue Summary.

If you have any questions, please contact me at 202.739.8080; [am@nei.org](mailto:am@nei.org) or James Ross at 202.739.8101; [jr@nei.org](mailto:jr@nei.org).

Sincerely,

A handwritten signature in cursive script that reads "Alexander Marion".

Alexander Marion

Enclosure

c: Document Control Desk