

August 4, 2006

Mr. Randy C. Bunt
Chair, BWR Owners Group
Southern Nuclear Operating Company
40 Inverness Center Parkway/Bin B057
Birmingham, AL 35242

SUBJECT: ACCEPTANCE FOR REVIEW OF BOILING WATER REACTORS OWNERS' GROUP (BWROG) TOPICAL REPORT (TR) NEDO-33163, "HIGH BURN UP BWR FUEL ROD GAP RELEASE FRACTIONS" (TAC NO. MD1764)

Dear Mr. Bunt:

By letter dated March 30, 2006, the BWROG submitted for U.S. Nuclear Regulatory Commission (NRC) staff review TR NEDO-33163, "High Burn Up BWR Fuel Rod Gap Release Fractions." The NRC staff has performed an acceptance review of TR NEDO-33163. 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 November 9, 2006, and issue its draft safety evaluation by March 28, 2007. The NRC staff estimates that the review will require approximately 160 staff hours including project management time and approximately 400 hours of contractor review. The review schedule milestones and estimated review costs were discussed and agreed upon in a telephone conference between Joseph E. Conen, former BWROG Chairman, and the NRC staff on June 20, 2006.

In accordance with letter dated May 12, 2006 (Agencywide Documents Access and Management System Accession No. ML061210340), the fee branch denied your fee waiver request, but in electronic mail correspondence with Michelle C. Honcharik dated May 17, 2006, Joseph E. Conen requested a fee-billable review. Therefore, in accordance with Section 170.21 of Title 10 of the *Code of Federal Regulations* this TR is subject to fees based on the full cost of the review.

Sincerely,

/RA/

Stacey L. Rosenberg, Chief
Special Projects Branch
Division of Policy and Rulemaking
Office of Nuclear Reactor Regulation

Project No. 691

cc: See next page

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