



NUCLEAR ENERGY INSTITUTE

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January 24, 2007

Mr. Jesse L. Funches
Chief Financial Officer
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

SUBJECT: Request for Waiver of NRC Review Fees for NEI Technical Reports

PROJECT NUMBER: 689

Dear Mr. Funches:

The purpose of this letter is to request a waiver of NRC fees associated with review of six generic industry summary program descriptions that will be used in the first combined license (COL) applications under 10 CFR Part 52. This request is submitted in accordance with 10 CFR 170.11.

In letters dated August 18, October 18, and October 30, 2006, NEI submitted for NRC review technical reports containing proposed generic COL application content concerning the Physical Security, Quality Assurance, and Training Programs, respectively. We have received NRC acceptance review letters for the QA and Training Program reports, including identification of estimated costs for the reviews. In addition, NEI will be submitting three other summary program descriptions for NRC review and endorsement: Radiation Protection, Maintenance Rule, and Emergency Action Levels.

The industry is developing these sections of a COL application generically for use by all COL applicants. Development of generic content assures a consistent approach to the preparation of COL applications in these operational program areas that is in accordance with NRC requirements and guidance. Such an approach reduces industry and NRC resource burden associated with the development, review, and approval of COL applications. It conserves NRC resources because only a single staff review is required in each area. This review and approval may be accomplished in advance of actual COL applications. In public meetings where we have discussed these industry activities, the staff has recognized the standardization benefits and strongly encouraged this approach, which is consistent with the NRC's design centered review concept.

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Fee Waiver Justification

These technical reports qualify for a fee waiver because, consistent with 10 CFR 170.11(a)(1)(iii), they are provided as a means of exchanging information with the NRC for the purpose of "supporting the NRC's generic regulatory improvements or efforts." In particular, consistent with Section 170.11(a)(1)(A)(1), NEI is submitting these technical reports to support NRC development of generic guidance that will facilitate preparation of complete, quality COL applications under a regulation that has yet to be fully exercised. NRC endorsement of generic COL application content in a safety evaluation or regulatory guide will constitute valuable generic guidance for all COL applicants and reduce NRC resource burden.

Our future submittals will include the fee waiver request required by 10 CFR 170.11(a)(1)(A)(3).

The industry and the NRC place a high priority on standardization of COL applications and reviews that will enable COL applications to be developed and reviewed in a more efficient and productive manner. This request for NRC fee waivers is consistent with NRC priorities and requirements, and we appreciate your consideration of this request.

If you have any questions, please contact me at (202) 739-8094; aph@nei.org.

Sincerely,



Adrian P. Heymer

c: David B. Matthews, NRC
Stephanie M. Coffin, NRC
NRC Document Control Desk