

April 18, 2007

Mr. R. C. Bunt, Group Chair
BWR Owners' Group
c/o Southern Nuclear
40 Inverness Center Parkway
P.O. Box 1295
Birmingham, AL 35242

Dear Mr. Bunt:

I am responding to your March 9, 2007, letter requesting a fee waiver for the review of two Licensing Topical Reports (LTR), NEDC-0000-0032-9578, "*Technical Justification to Support Risk-Informed Modifications to Selected Technical Specifications for Conditions Leading to Exigent Plant Shutdown for BWR Plants*" and NEDC-0000-0034-6043, "*Technical Justification to Support Risk-Informed Completion Time Extensions for the Standby Gas Treatment System and Main Control Room Environmental Control System for BWR Plants.*" Your letter cites 10 CFR 170.11(a)(1)(ii) and (iii) as the bases for your request for a waiver of fees associated with the review of these LTRs. I am granting the fee waiver for the LTR, NEDC-000-0032-9578 and denying your request for a fee waiver for the LTR, NEDC-000-0034-6043, as explained below.

In our June 2, 2003, letter to Anthony Pietrangelo of the Nuclear Energy Institute, the U.S. Nuclear Regulatory Commission (NRC) agreed to review reports related to Initiative 6. Your LTR, NEDC-000-0032-9578, supports this risk-informed Initiative 6 and will be used to support generic regulatory improvements. Therefore, I am granting you a fee waiver. We will cancel the Invoice Number RL0236-07, related to the review of this LTR.

Under 10 CFR 170.11 (a)(1)(ii), a report submitted to the NRC for review may be fee exempt if it is in response to an NRC request at the Associate Office Director level or above. The LTR, NEDC-000-0034-6043 was not requested by a senior NRC official. To receive a fee exemption under 10 CFR 170.11(a)(1)(iii), a requestor has to demonstrate that the document submitted for the NRC's review is specifically for the purpose of supporting the NRC's generic regulatory improvements or efforts. The Office of Nuclear Reactor Regulation has advised that this LTR will not be used to support a generic regulatory improvement or effort. In addition, 10 CFR 170.11(a)(1)(iii)(c) states that fees will not be waived for reviews of reports that are not submitted specifically for the purpose of supporting the NRC's generic regulatory improvements, because the primary beneficiary for review of such documents is the requesting organization. The NRC's review of this LTR would primarily benefit the BWR Owners' Group and its members even though the NRC may realize some benefit from the review and approval of the document. Therefore, I have denied the requested fee exemption. The NRC expects payment of Invoice Number RL0237-07 related to the review of this LTR.

R. C. Bunt

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If you have any technical questions regarding this matter, please contact Michelle Honcharik at 301-415-1774. For any fee waiver related questions, please contact Renu Suri, of my staff, at 301-415-0161.

Sincerely,

/RA/

Peter J. Rabideau
Acting Chief Financial Officer

If you have any technical questions regarding this matter, please contact Michelle Honcharik at 301-415-1774. For any fee waiver related questions, please contact Renu Suri, of my staff, at 301-415-0161.

Sincerely,

/RA/

Peter J. Rabideau
Acting Chief Financial Officer

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