

February 22, 2008

Alan Nelson, Director
Emergency Preparedness
Nuclear Generation
Nuclear Energy Institute
1776 I Street, NW, Suite 400
Washington, DC 20006-3708

SUBJECT: U.S. NUCLEAR REGULATORY COMMISSION REVIEW AND ENDORSEMENT
OF NEI 99-01, REVISION 5, DATED FEBRUARY 2008

Dear Mr. Nelson:

By email dated February 8, 2008, the Nuclear Energy Institute (NEI) requested formal endorsement of NEI 99-01, Revision 5, "Methodology for the Development of Emergency Action Levels."

Revision 5 of NEI 99-01 is intended to address lessons-learned since the implementation of NEI 99-01, Revision 4, as well as security-related emergency action levels (EALs) modified by Nuclear Regulatory Commission (NRC) Bulletin 2005-02, "Emergency Preparedness and Response Actions for Security-Based Events," and EALs modified as a result of the EAL Frequently Asked Questions process.

My staff reviewed NEI 99-01, Revision 5, dated February 2008 (ADAMS Accession No. ML080450149) and found it acceptable for use as a methodology to develop an EAL scheme. The NRC will pursue endorsement of NEI 99-01, Revision 5, using Regulatory Guide 1.101. While the NRC is pursuing endorsement, licensees may use this version of NEI 99-01 as a basis for making changes to their EALs.

My staff understands that NEI will be revising NEI 07-01, "Methodology for Development of Emergency Action Levels, Advanced Passive Light Water Reactors," to incorporate all of the changes made to NEI 99-01 and submitting it for NRC endorsement, in support of the new reactor licensing efforts.

A. Nelson

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We would like to thank NEI for its effort to develop a guidance document that will assist the industry in the development of enhanced emergency action levels, and we await your timely submittal of NEI 07-01.

Sincerely,

/RA/

Christopher G. Miller, Deputy Director for
Emergency Preparedness
Division of Preparedness and Response
Office of Nuclear Security and Incident Response

Enclosure: NEI 99-01 Revision 5,
February 2008

A. Nelson

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We would like to thank NEI for its effort to develop a guidance document that will assist the industry in the development of enhanced emergency action levels, and we await your timely submittal of NEI 07-01.

Sincerely,

/RA/

Christopher G. Miller, Deputy Director for
Emergency Preparedness
Division of Preparedness and Response
Office of Nuclear Security and Incident Response

Enclosure: NEI 99-01 Revision 5,
February 2008

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