



NUCLEAR ENERGY INSTITUTE

James H. Riley
DIRECTOR
ENGINEERING
NUCLEAR GENERATION DIVISION

April 15, 2008

Mr. John A. Grobe
Associate Director for Engineering and Safety Systems
U.S. Nuclear Regulatory Commission
Mail Stop O-5 E7
Washington, DC 20555-0001

Subject: Transmittal of NEI 04-02, Revision 2 and RG 1.205 Comments

Project Number: 689

Dear Mr. Grobe:

Enclosed are Revision 2 to NEI 04-02, *Guidance for Implementing a Risk-Informed, Performance-Based Fire Protection Program*, and a marked-up copy of RG 1.205, *Risk-Informed, Performance-Based Fire Protection for Existing Light-Water Nuclear Power Plants*, that contains industry comments intended to establish consistency between the two documents. Two versions of each of these documents are enclosed; one that shows all the changes and one that incorporates the changes within the text.

NEI 04-02 was written to guide the transition to 10CFR50.48 (c). It has always been our intention to revise NEI 04-02 to reflect new guidance and interpretations developed during the pilot plant transition process. These changes to NEI 04-02 are identified, controlled, and approved during transition by means of the Frequently Asked Question (FAQ) process. The enclosed revision to NEI 04-02 can be considered an interim revision; it reflects FAQs approved through the beginning of 2008 (The actual FAQs incorporated in the revision are listed in the revision record on page ii of the document). We intend to issue another revision to NEI 04-02 once the pilot plant SERs are written in order to capture all the lessons learned from the Pilot Plant process. Your endorsement of the enclosed revision is requested. We will also request your endorsement of NEI 04-02 when it is revised again next year.

Mr. John A. Grobe

April 15, 2008

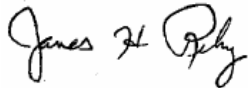
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The enclosed version of RG 1.205 has been annotated to recommend changes that would establish consistency between it and the enclosed revision to NEI 04-02. For the same reasons as expressed above for NEI 04-02, this should also be considered an interim document. Additional comments may be provided when NEI 04-02 is next revised.

We believe any NRC staff review of the enclosed documents is exempt from the fee recovery provision contained in 10 CFR Part 170. This submittal provides information that may be helpful to NRC staff when evaluating licensee submittals provided to transition to 10CFR50.48 (c). Such reviews are exempted under §170.11, Exemptions, Subpart (a) (1) (iii). This provision states, (a) "No application fees, license fees, renewal fees, inspection fees, or special project fees shall be required for...(1) A special project that is a request/report submitted to the NRC--(iii) As a means of exchanging information between industry organizations and the NRC for the specific purpose of supporting the NRC's generic regulatory improvements or efforts".

If you have any questions on this matter, please contact me at (202) 739-8137 or jhr@nei.org.

Sincerely,

A handwritten signature in black ink that reads "James H. Riley". The signature is written in a cursive style with a large initial "J" and "R".

James H. Riley

Enclosures

c: Mr. Mark A. Cunningham, NRC
Mr. Alex R. Klein, NRC
Mr. Paul W. Lain, NRC
Mr. Harold T. Barrett, NRC
NFPA 805 Task Force
NRC Document Control Desk