



NUCLEAR ENERGY INSTITUTE

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NUCLEAR GENERATION DIVISION

May 12, 2009

Mr. Glenn M. Tracy  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555-0001

**Subject:** Industry Comments on Draft Regulatory Guide DG-1204, *Guidance for ITAAC Closure Under 10 CFR Part 52*

**Project Number: 689**

The Nuclear Energy Institute (NEI)<sup>1</sup> appreciates the opportunity to provide comments on DG-1204, which endorses NEI 08-01, *Industry Guideline for ITAAC Closure Process Under 10 CFR Part 52, Revision 3*. We appreciate the constructive interactions with the NRC staff that have led to the development of this guidance, and we look forward to continuing to work with you to supplement the guidance to address follow-on issues such as maintenance of ITAAC closure.

The enclosure to this letter provides detailed comments and recommended changes to the text of the proposed regulatory guide.

Through our efforts to review and refine this guidance, we have identified a need to better understand the timing of the NRC actions identified in Appendix B to DG-1204 (e.g., 52.99 *Federal Register* notices and the ITAAC recommendation to the Commission). We propose that this be included as an agenda topic in a future Construction Inspection Program workshop.

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<sup>1</sup> The Nuclear Energy Institute (NEI) is the organization responsible for establishing unified industry policy on matters affecting the nuclear energy industry, including the regulatory aspects of generic operational and technical issues. NEI's members include all entities licensed to operate commercial nuclear power plants in the United States, nuclear plant designers, major architect/engineering firms, fuel fabrication facilities, nuclear materials licensees, and other organizations and entities involved in the nuclear energy industry.

Mr. Glenn M. Tracy

May 29, 2009

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We appreciate your consideration of these comments and are available to discuss them as necessary. If you have any questions about the industry comments, please contact me or Kimberly Keithline (202-739-8121; kak@nei.org).

Sincerely,

A handwritten signature in black ink, appearing to read "RJB", with a stylized flourish at the end.

Russell J. Bell

Enclosure

c: Mr. Mark G. Kowal, U.S. Nuclear Regulatory Commission  
Mr. William F. Burton, U.S. Nuclear Regulatory Commission  
NRC Document Control Desk