

August 12, 2009

Mr. 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 07-01, "METHODOLOGY FOR THE DEVELOPMENT OF EMERGENCY
ACTION LEVELS"

Dear Mr. Nelson:

By email dated July 21, 2009 (ADAMS Accession No. (package) ML092030377), the Nuclear Energy Institute (NEI) provided a response to my staff's request for additional information as well as provide a revised version of NEI 07-01, "Methodology for the Development of Emergency Action Levels," for review and endorsement. NEI 07-01 is intended to be used in the development of emergency action levels (EALs) for the Economic Simplified Boiling Water Reactor (ESBWR) and AP1000 reactor designs.

My staff reviewed NEI 07-01, dated July 2009 (ADAMS Accession No. ML092030210) and found it technically sufficient to pursue formal endorsement via Regulatory Guide 1.101, "Emergency Planning and Preparedness for Nuclear Power Reactors." Please note that the formal endorsement process may require additional information, or may require a revision to NEI 07-01. If this becomes necessary, my staff will coordinate this with you in order to complete the endorsement of NEI 07-01.

While the NRC is pursuing formal endorsement, current and prospective applicants may review this version of NEI 07-01 as a reference in the development of their new reactor applications if they are using the AP1000 or ESBWR design. Additionally, current and prospective applicants may consider the template provided in NEI 07-01 as a reference for the development of an EAL set for any design utilizing digital instrumentation and control (I&C), including licensed power reactors considering upgrading to digital I&C.

Again, we would like to thank NEI for drafting this document and for working with my staff in the development of an EAL scheme applicable to the AP1000 and ESBWR designs.

Sincerely,

/RA/

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

August 12, 2009

Mr. 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 07-01, "METHODOLOGY FOR THE DEVELOPMENT OF EMERGENCY
ACTION LEVELS"

Dear Mr. Nelson:

By email dated July 21, 2009 (ADAMS Accession No. (package) ML092030377), the Nuclear Energy Institute (NEI) provided a response to my staff's request for additional information as well as provide a revised version of NEI 07-01, "Methodology for the Development of Emergency Action Levels," for review and endorsement. NEI 07-01 is intended to be used in the development of emergency action levels (EALs) for the Economic Simplified Boiling Water Reactor (ESBWR) and AP1000 reactor designs.

My staff reviewed NEI 07-01, dated July 2009 (ADAMS Accession No. ML092030210) and found it technically sufficient to pursue formal endorsement via Regulatory Guide 1.101, "Emergency Planning and Preparedness for Nuclear Power Reactors." Please note that the formal endorsement process may require additional information, or may require a revision to NEI 07-01. If this becomes necessary, my staff will coordinate this with you in order to complete the endorsement of NEI 07-01.

While the NRC is pursuing formal endorsement, current and prospective applicants may review this version of NEI 07-01 as a reference in the development of their new reactor applications if they are using the AP1000 or ESBWR design. Additionally, current and prospective applicants may consider the template provided in NEI 07-01 as a reference for the development of an EAL set for any design utilizing digital instrumentation and control (I&C), including licensed power reactors considering upgrading to digital I&C.

Again, we would like to thank NEI for drafting this document and for working with my staff in the development of an EAL scheme applicable to the AP1000 and ESBWR designs.

Sincerely,

/RA/

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

DISTRIBUTION:

DPR Reading File D. Johnson M. Norris K. Williams D. Barrs

ADAMS Accession Number: ML092190035

OFFICE	NSIR:DPR	TL:NSIR:DPR	ADMIN:NSIR	BC:NSIR:DPR	DD:NSIR:DPR
NAME	D. JOHNSON	M. NORRIS	A. WIMBUSH	K. WILLIAMS/RA M. Norris for/	C. MILLER
DATE	08/11/09	08/12/09	8/12/09	08/12/09	8/12/09

OFFICIAL RECORD COPY