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(74FR26814)

September 9, 2009
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DOCKETED
USNRC

September 16, 2009 (12:50pm)

Ms. Annette L. Vietti-Cook
Secretary
Attn: Rulemakings and Adjudications Staff
U.S. Nuclear Regulatory Commission
Mail Stop O-16C1
Washington, DC 20555-0001

OFFICE OF SECRETARY
RULEMAKINGS AND
ADJUDICATIONS STAFF

Subject: Petition to amend 10 CFR Part 70, Appendix A, "Reportable Safety Events"

Project Number: 689

Dear Ms. Vietti-Cook:

The Nuclear Energy Institute (NEI) on behalf of the fuel cycle industry and pursuant to 10 CFR 2.802, "Petitions for Rulemaking," submitted a petition to amend 10 CFR Part 70, Appendix A, "Reportable Safety Events" via a letter dated April 16, 2009.

The purpose of that petition is to amend Appendix A in an effort to further clarify U.S. Nuclear Regulatory Commission (NRC) reporting requirements for certain events that occur at fuel cycle facilities licensed pursuant to Part 70. The lack of clarity with regard to Appendix A requirements has been experienced by licensees and observed by the NRC staff since implementation of the revised Part 70 in 2000. Babcock & Wilcox Nuclear Operations Group, Inc. (B&W NOG) agrees that this regulation warrants further clarification and endorses the NEI sponsored petition.

B&W NOG also believes that the adoption of the amendment will help ensure more consistent event reporting and achieve a common understanding of reports required under 10 CFR Part 70; such concerns were originally outlined by industry in the NEI white paper submitted to NRC in June 2007.

We appreciate your processing the revision as expeditiously as possible. If you have any questions concerning B&W NOG's endorsement of this action, please contact me at 434-522-5665.

Sincerely,

Barry L. Cole
Manager, Licensing and Safety Analysis
(Licensing Officer)

cc: NRC, Region II
NRC, Resident Inspector
NRC, N. Baker