OCFO TICKET

04-Dec-09

Assigned	DFM
Item No	2009-382
Priority	1
From	Coleman
Office	BWR
To	Dyer
Date	11/30/2009
Due Date	01/07/2010
Ticket No	
Subject	Request for Waiver of NRC Review Fees for BWROG Licensing Topical Reports and Other Submittals
Instructions	
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2009-382

BWR OWNERS' GROUP

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BWROG-09082
November 30, 2009

Project No. 691

Mr. James Dyer
Chief Financial Officer
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

SUBJECT: Request for Waiver of NRC Review Fees for BWROG Licensing Topical Reports and Other Submittals

REFERENCE: NRC Letter dated April 10, 2008, from John Grobe (Associate Director for Engineering and Safety Systems, NRR) to Richard Anderson (BWROG Executive Chairman), "POTENTIAL ISSUES RELATED TO EMERGENCY CORE COOLING SYSTEMS (ECCS) STRAINER PERFORMANCE AT BOILING WATER REACTORS"

Dear Mr. Dyer:

The purpose of this letter is to request a waiver of NRC fees associated with the review of several Licensing Topical Reports (LTRs) and other documents projected for submittal by the BWR Owners' Group (BWROG) in response to NRC requests for BWROG action on ECCS Suction Strainers. This request relates primarily to future submittals and past interactions with the NRC that have not yet resulted in submittals, and is provided in accordance with 10 CFR 170.11.

In the referenced letter dated April 10, 2008 the NRC made the following requests of the BWROG:

> "This letter is a follow-up to our phone conversation on February 1, 2008. During that phone call, I requested the assistance of the Boiling Water Reactor Owners' Group (BWROG) in addressing potential issues related to emergency core cooling system (ECCS) strainer performance at boiling water reactors (BWRs). This letter summarizes some of the potential issues for which the Nuclear Regulatory Commission (NRC) staff believes additional work may be warranted."
>
> and
>
> "We encourage the BWROG to develop a comprehensive evaluation plan integrated with the efforts of the NRC to address these issues regarding BWR strainer performance. We look forward to continuing interactions with the BWROG staff on this subject."

In response to the NRC request, the BWROG is developing a comprehensive plan for addressing the issues outlined by Mr. Grobe in his letter, as well as other issues related to ECCS Suction Strainers that have been identified in interactions with the NRC Staff. The BWROG has informed the NRC Staff in several recent meetings of its intent to submit several LTRs to the NRC for formal review and, prior to beginning major initiatives to address the identified issues, several Position Papers for NRC feedback.

The BWROG is developing these reports and position papers as a direct result of the NRC Staff request made in the April 10, 2008, NRC letter and subsequent refinements of that request in more recent interactions. As such, the following provision in 10 CFR 170.11 (a)(1)(iii) is applicable to this BWROG request for a waiver of review fees:

> "In response to an NRC request (at the Associate Office Director level or above) to resolve an identified safety, safeguards, or environmental issue, or to assist NRC in developing a rule, regulatory guide, policy statement, generic letter, or bulletin...."

Therefore, the BWROG requests that these submittals be granted fee waivers in accordance with this provision of 10 CFR 170.11.

If you have any questions regarding this request, or require further information, please contact me or Fred Emerson (GE-Hitachi Nuclear Energy) at (910) 819-5615.

Respectfully,

Douglas W. Coleman

Douglas W. Coleman, Chairman
BWR Owners' Group

cc: John Grobe, NRC
Joe Golla, NRC
Michelle Honcharik, NRC
F. P. "Ted" Schiffley, BWROG Vice Chairman
C. J. Nichols, BWROG Program Manager
BWROG Primary Representatives