



NUCLEAR ENERGY INSTITUTE

Russell J. Bell
DIRECTOR
NEW PLANT LICENSING
NUCLEAR GENERATION DIVISION

July 16, 2010

Mr. Glenn Tracy
Director
Division of Construction Inspection and Operational Programs
Office of New Reactors
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Subject: Submittal of NEI 08-01, *Industry Guideline for the ITAAC Closure Process Under 10 CFR 52, Revision 4*

Project Number: 689

Attached for NRC review and endorsement is NEI 08-01, *Industry Guideline for the ITAAC Closure Process Under 10 CFR 52, Revision 4*. This revision reflects consideration on NRC comments provided on prior drafts in public meetings on March 25 and May 13, and via electronic mail on June 4. To facilitate the staff's review, we have also attached a redline version that highlights changes vis-à-vis draft Revision 4F and a table indicating how each of the of the NRC comments on Revision 4F was dispositioned.

The attachment reflects the high degree on consensus achieved as a result of our frequent and constructive public interactions on ITAAC Maintenance and related issues. We believe that the guidance demonstrates our view expressed in my April 29 letter to Dave Matthews that rulemaking related to ITAAC Maintenance is not necessary.

NEI 08-01, Revision 4, is consistent with the substance of the draft rule language discussed in two public meetings, with one exception. We continue to differ with the staff on potential notifications during the brief period between licensee submittal of the "All ITAAC Complete" letter and the Section 52.103(g) finding. We do not agree with the staff that licensees should notify the NRC of a newly indentified condition until the licensee determines that the condition exceeds one of the notification thresholds discussed in the guidance. However, we agree that during this period licensees should determine promptly if a threshold is crossed, and in response to the staff comment in this regard, we have added language to Section 8.1.3 reflecting this expectation.

Mr. Glenn Tracy

July 16, 2010

Page 2

We understand that the staff will complete its review of NEI 08-01 and issue a draft revision to Regulatory Guide 1.215 endorsing the industry guidance. Should the Commission decide to proceed with a proposed rule, we expect that the draft revision of Regulatory Guide 1.215 would be published for comment in connection with the Notice of Proposed Rulemaking.

We appreciate the constructive series of interactions with the NRC staff that has resulted in NEI 08-01, Revision 4. If you have any questions, please contact me.

Sincerely,



Russell J. Bell

Attachments

C: Mr. Mark Kowal, NRO/DCIP/CTSB, NRC
Mr. William Burton, NRO/DNRL/DDIP/NR, NRC
Ms. Nanette Gilles, NRO/DNRL/DDIP/NR, NRC
NRC Document Control Desk