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 FACIL: 50-331 Duane Arnold Energy Center, Iowa Electric Light & Pow 05000331
 AUTH. NAME AUTHOR AFFILIATION
 MCGAUGHY, R.W. Iowa Electric Light & Power Co.
 RECIP. NAME RECIPIENT AFFILIATION
 DENTON, H.R. Office of Nuclear Reactor Regulation, Director

SUBJECT: Requests reconsideration of determination that Class IV rather than Class III fee appropriate re 840229 revs to Tech Specs. Class III fee appropriate since acceptability for issue clearly identified by NRC position.

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Iowa Electric Light and Power Company
March 29, 1984
NG-84-1120

Mr. Harold Denton, Director
Office of Nuclear Reactor Regulation
U.S. Nuclear Regulatory Commission
Washington, DC 20555

Subject: Duane Arnold Energy Center
Docket No: 50-331
Op. License No: DPR-49
Licensee Fees
Reference: Letter, NRC License Fee Management Branch to
Iowa Electric, dated February 29, 1984

Dear Mr. Denton:

On January 27, 1984, Iowa Electric Light and Power Company requested revisions to the Technical Specifications for the Duane Arnold Energy Center (DAEC). The revisions were requested in response to Generic Letter No. 83-36, NUREG-0737 Technical Specifications. We categorized the requested amendment as Class III and submitted a \$4,000 fee payment. The referenced letter of February 29 states that the Staff has determined that a Class IV fee (\$12,300) is appropriate. We are remitting the additional \$8,300, but request reconsideration of that determination based upon the information provided below.

The NRC's basis for a Class IV categorization is that "the review will involve consideration of several safety issues." We agree that more than one subject or "issue" is encompassed by the proposed amendment. However, in Generic Letter No. 83-36, the NRC staff provided sample Standard Technical Specifications and specific guidance describing acceptable language and format. We followed, as closely as possible, the Staff's guidance. In preparing Generic Letter No. 83-36 and NUREG-0737, we understand that the NRC staff reviewed the safety significance and impact of the proposed Technical Specifications and their effect on systems interaction. It would appear that NRC review of our license amendment request should not involve substantial additional consideration of these safety issues as the Staff solicited, received, and evaluated comments from the BWR Owner's Group and other industry representatives. In our view, the amendment is more appropriately classified as Class III since "acceptability for the issue is clearly identified by an NRC position."

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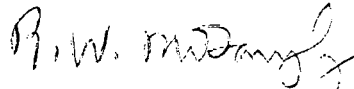
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Mr. Harold Denton
March 29, 1984
NG-84-1120
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Please direct any questions you may have to this office.

Very truly yours,



Richard W. McGaughy
Manager, Nuclear Division

RWM/MSG/dmb*

cc: M. Grim
L. Liu
S. Tuthill
M. Thadani
NRC Resident Office