

December 6, 2012

Mr. Biff Bradley/RA
Director, Risk Assessment
Nuclear Generation Division
Nuclear Energy Institute
1776 I Street, NW, Suite 400
Washington, DC 20006-3708

SUBJECT: APPROVAL LETTER OF TOPICAL REPORT NEI 94-01, REVISION 3-A,
"INDUSTRY GUIDELINE FOR IMPLEMENTING PERFORMANCE-BASED
OPTION OF 10 CFR [TITLE 10 OF THE *CODE OF FEDERAL REGULATIONS*]
PART 50, APPENDIX J" (TAC NO. ME2164)

Dear Mr. Bradley:

By letter dated July 19, 2012 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML12221A200), the Nuclear Energy Institute (NEI) submitted the accepted ("-A") version of Topical Report (TR) NEI 94-01, Revision 3-A, "Industry Guideline For Implementing Performance-Based Option Of 10 CFR Part 50, Appendix J" (ADAMS Accession No. ML12221A202), to the U.S. Nuclear Regulatory Commission (NRC) staff. The NEI has done so in accordance with the NRC staff's request to publish the accepted version of this TR, as detailed in the transmittal letter of June 8, 2012 (ADAMS Accession No. ML121030286), for the NRC staff's final Safety Evaluation (SE).

The NRC staff has completed its review of the final "-A" version of this TR and determined that the submitted version is acceptable for referencing in licensing applications for commercial nuclear power plants to the extent specified and under the limitations delineated in the NRC's SE of the TR.

If future changes to the NRC's regulatory requirements affect the acceptability of this TR, NEI, or individual licensees referencing the TR, will need to revise it appropriately, or justify its continued applicability for subsequent referencing.

If you have any questions, please contact Jonathan Rowley at 301-415-4053.

Sincerely,

/RA/

Sher Bahadur, Deputy Director
Division of Policy and Rulemaking
Office of Nuclear Reactor Regulation

Project No. 689

Mr. Biff Bradley
Director, Risk Assessment
Nuclear Generation Division
Nuclear Energy Institute
1776 I Street, NW, Suite 400
Washington, DC 20006-3708

SUBJECT: APPROVAL LETTER OF TOPICAL REPORT NEI 94-01, REVISION 3-A,
"INDUSTRY GUIDELINE FOR IMPLEMENTING PERFORMANCE-BASED
OPTION OF 10 CFR [TITLE 10 OF THE CODE OF FEDERAL REGULATIONS]
PART 50, APPENDIX J" (TAC NO. ME2164)

Dear Mr. Bradley:

By letter dated July 19, 2012 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML12221A200), the Nuclear Energy Institute (NEI) submitted the accepted ("-A") version of Topical Report (TR) NEI 94-01, Revision 3-A, "Industry Guideline For Implementing Performance-Based Option Of 10 CFR Part 50, Appendix J" (ADAMS Accession No. ML12221A202), to the U.S. Nuclear Regulatory Commission (NRC) staff. The NEI has done so in accordance with the NRC staff's request to publish the accepted version of this TR, as detailed in the transmittal letter of June 8, 2012 (ADAMS Accession No. ML121030286), for the NRC staff's final Safety Evaluation (SE).

The NRC staff has completed its review of the final "-A" version of this TR and determined that the submitted version is acceptable for referencing in licensing applications for commercial nuclear power plants to the extent specified and under the limitations delineated in the NRC's SE of the TR.

If future changes to the NRC's regulatory requirements affect the acceptability of this TR, NEI, or individual licensees referencing the TR, will need to revise it appropriately, or justify its continued applicability for subsequent referencing.

If you have any questions, please contact Jonathan Rowley at 301-415-4053.

Sincerely,

/RA/

Sher Bahadur, Deputy Director
Division of Policy and Rulemaking
Office of Nuclear Reactor Regulation

Project No. 689

DISTRIBUTION:

PUBLIC	RidsNrrDpr	RidsNrrDss	RidsNrrDorl
SStuchell	RidsNrrDprPlpb	RidsNrrDssScvb	BLee
RidsOgcMailCenter	RidsResOd	RidsNroOd	

ADAMS Accession No.: ML12226A546

NRR-106

OFFICE	PLPB/PM	PLPB/LA	PLPB/BC (A)	DPR/DD
NAME	SStuchell	DBaxley	SStuchell	SBahadur
DATE	8/13/2012	8/30/2012	12/5/2012	12/6/2012

OFFICIAL RECORD COPY