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NUCLEAR ENERGY INSTITUTE

January 8, 2013

Mr. Michael E. Mayfield
Director, Advanced Reactor Program
Office of New Reactors
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

**Subject:** Submittal of NEI 96-07, Appendix C, *Guideline for Implementation of Change Processes for New Nuclear Plants Licensed Under 10 CFR 52*, Draft Revision 0D

**Project Number: 689**

Dear Mr. Mayfield:

Attached for NRC review is draft revision 0D of NEI 96-07, Appendix C, *Guideline for Implementation of Change Processes for New Nuclear Plants Licensed Under 10 CFR 52*. This appendix will supplement endorsed guidance in NEI 96-07, Revision 1, on the 10 CFR 50.59 change control process. The attached revision reflects the results of public meetings with the NRC over the past year and proposed resolution of two sets of NRC comments, dated March 20 and August 31, 2012. Also attached are tables that provide industry responses to the two sets of NRC comments.

We understand that the NRC is still considering the industry's proposed guidance in Section 4.1.1 on "Construction Change Applicability," including Subsection 4.1.1.1 on "Nonconforming Conditions during Construction." The proposed guidance attached reflects our most recent public interactions as well as our November 1, 2012, letter to you on these matters.

We appreciate the NRC staff's thorough review of Appendix C and the opportunity to resolve change process issues unique to the construction phase. We request that the staff provide any further comments so that we may finalize the document for endorsement by the NRC, including guidance that provides licensees the flexibility needed during construction and intended under Part 52 in a manner consistent with NRC requirements. We look forward to the staff's feedback on the attachment and ask that the staff identify any significant remaining issues before or during our next New Plant Working Group meeting, expected to be in the last week of February.

If there are any questions on this matter, please contact me or Kati Austgen (202.739.8068; kra@nei.org).

Sincerely,

Russell J. Bell

Attachments

c: Mr. David B. Matthews, NRO/DNRL, NRC
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Mr. Earl R. Libby, NRO/DARR/APOB, NRC
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