



**UNITED STATES**  
**NUCLEAR REGULATORY COMMISSION**  
WASHINGTON, DC 20555-0001

February 24, 2014

Technical Specifications Task Force (TSTF)  
11921 Rockville Pike  
Suite 100  
Rockville, MD 20852

Dear Members of the TSTF,

On behalf of the U.S. Nuclear Regulatory Commission (NRC), I am responding to your December 31, 2013, letter requesting a fee waiver under Title 10 of the *Code of Federal Regulations* (10 CFR) 170.11(a)(1)(iii) for review of TSTF Traveler TSTF-542, "Reactor Pressure Vessel Water Inventory Control."

The NRC has established regulations for granting fee exemptions under 10 CFR 170.11, "Exemptions," for which licensees may apply in accordance with 10 CFR 170.5, "Communications." The NRC has reviewed your request based on the following regulation, 10 CFR 170.11(a)(1)(iii):

- *10 CFR 170.11 (a) No application fees, license fees, renewal fee, inspection fees, or special project fees shall be required for: (1) A special project that is a request/report submitted to the NRC-(iii) As a means of exchanging information between industry organizations and the NRC. In order for the fee waiver to be granted under this paragraph it must meet three criteria.*
  - *(A) The report should be submitted for the specific purpose of supporting ongoing NRC generic regulatory improvements or efforts (e.g., rules, regulations, regulatory guides, and policy statements), and the agency, at the time the document is submitted, plans to use it for that purpose. The exemption applies even if ultimately the NRC does not use the document as planned.*

Your December 31, 2013, letter articulates that TSTF-542 was developed in response to the NRC's Enforcement Guidance Memorandum (EGM) 11-003, "[EGM] on Dispositioning Boiling Water Reactor Licensee Noncompliance with Technical Specification Containment Requirements during Operations with a Potential for Draining the Reactor Vessel." TSTF-542 addresses the Technical Specification (TS) for operations with a potential for draining the reactor vessel as identified in EGM-11-003. As a result, the NRC believes that TSTF-542 supports ongoing NRC generic regulatory improvement efforts; therefore, TSTF-542 satisfies this criterion.

- *(B) The NRC must be the primary beneficiary of the NRC's review and approval of these documents. This exemption does not apply to a topical report submitted for the purpose of obtaining NRC approval for future use of the report by the industry to address licensing or safety issues, even though the NRC may realize some benefits from its review and approval of the document.*

The NRC is the primary beneficiary of TSTF-542, because the NRC will use this document to aid in regulatory efforts with regard to revising the TS for operations with a potential for draining the reactor vessel. The revised TS will clarify the NRC's regulatory guidance and allow the NRC to provide better oversight to the industry. Thus, the NRC concludes that the TSTF's submission of TSTF-542 satisfies this criterion.

- *© The fee exemption is requested in writing to the Chief Financial Officer in accordance with 10 CFR 170.5, and the Chief Financial Officer grants this request in writing.*

The TSTF's fee exemption request was submitted in writing; therefore, TSTF-542 satisfies this criterion.

The NRC concludes that TSTF-542 meets all criteria under 10 CFR 170.11(a)(1)(iii); therefore, the fee waiver request is approved. If you have any technical questions regarding this matter, please contact Ms. Michelle Honcharik at 301-415-1774. Please contact Mr. Alexander Balkin, of my staff, at 301-415-5835 for any fee-related questions.

Sincerely,

*/RA/*

J. E. Dyer  
Chief Financial Officer

cc: See next page

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- *(C) The fee exemption is requested in writing to the Chief Financial Officer in accordance with 10 CFR 170.5, and the Chief Financial Officer grants this request in writing.*

The TSTF's fee exemption request was submitted in writing; therefore, TSTF-542 satisfies this criterion.

The NRC concludes that TSTF-542 meets all criteria under 10 CFR 170.11(a)(1)(iii); therefore, the fee waiver request is approved. If you have any technical questions regarding this matter, please contact Ms. Michelle Honcharik at 301-415-1774. Please contact Mr. Alexander Balkin, of my staff, at 301-415-5835 for any fee-related questions.

Sincerely,

*/RA/*

J. E. Dyer  
Chief Financial Officer

cc: See next page

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**\*via e-mail**

**CFO-0009**

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