



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

May 5, 2015

Mr. James H. Riley  
Senior Technical Advisor  
Nuclear Energy Institute  
1201 F Street, NW, Suite 1100  
Washington, DC 20004

Dear Mr. Riley:

On behalf of the U.S. Nuclear Regulatory Commission (NRC), I am responding to your e-mailed letter dated October 30, 2014, requesting a fee waiver under Title 10 of the Code of Federal Regulations (10 CFR) 170.11(a)(1)(iii). We regret the delay in responding to your letter. The NRC notes that your request stems from fees associated with the Nuclear Energy Institute's (NEI) response to the NRC letter, dated March 12, 2012, "Request for Information Pursuant to Title 10 of the Code of Federal Regulations 50.54(f) Regarding Recommendations 2.1, 2.3, and 9.3 of the Near Term Task Force Review of Insights from the Fukushima Dai-ichi Accident."

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)(ii) No application fees, license fees, renewal fees, inspection fees, or special project fees shall be required for: (1) A special project that is a request/report submitted to the NRC (ii) In response to an NRC request from the Associate Office Director level or above to resolve an identified safety, safeguards, or environmental issue, or to assist NRC in developing a rulemaking, regulatory guide, policy statement, generic letter, or bulletin.*

Your letter stated that "Revision 0 - Warning Time White Paper," was submitted in response to NRC's letter to licensees, dated March 12, 2012, "Request for Information Pursuant to Title 10 of the Code Federal Regulations 50.54(f) Regarding Recommendations, 2.1, 2.3 and 9.3 of the Near Term Task Force Review of Insights from the Fukushima Dai-ichi Accident." The NRC letter signed by the Directors of the Office of Nuclear Reactor Regulation and the Office of New Reactors requested additional information from all power reactor licensees and holders of construction permits in active or deferred status pursuant to 10 CFR 50.54(f). Specifically, the letter also requested that addressees perform a reevaluation of all appropriate external flooding sources applying present-day regulatory guidance and methodologies using present-day standard engineering practice to develop flood hazards and to analyze the plants response to unbounded flooding hazards. These analyses will help determine whether additional regulatory actions are necessary. The NRC agrees with NEI that the information submitted in "Revision 0 - LIP Warning Time White Paper" is necessary to identify safety issues under Phase 2.

J. H. Riley

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Therefore, the NRC concludes that the paper submitted by NEI meets the criteria of 10 CFR 170.11(a)(1)(ii); thus, the fee waiver has been approved. If you have any technical questions regarding this matter, please contact Mr. Robert Kuntz, at (301) 415-3733. Please contact Ms. Arlette Howard, of my staff, at (301) 415-1481 for any fee-related questions.

Sincerely,

***/RA/***

Maureen E. Wylie  
Chief Financial Officer

Therefore, the NRC concludes that the paper submitted by NEI meets the criteria of 10 CFR 170.11(a)(1)(ii); thus, the fee waiver has been approved. If you have any technical questions regarding this matter, please contact Mr. Robert Kuntz, at (301) 415-3733. Please contact Ms. Arlette Howard, of my staff, at (301) 415-1481 for any fee-related questions.

Sincerely,

*/RA/*

Maureen E. Wylie  
Chief Financial Officer

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