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NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D.C. 20555-0001

June 1, 2017

Mr. Jerud E. Hanson  
Senior Project Manager  
Life Extension and New Technology  
Nuclear Energy Institute  
1201 F Street NW, Suite 1100  
Washington, DC 20004

Dear Mr. Hanson:

On behalf of the U.S. Nuclear Regulatory Commission (NRC), I am responding to your letter dated April 7, 2017, (Agency Documents Access and Management System (ADAMS) Accession Number ML17101A424), requesting a fee waiver under Title 10 of the *Code of Federal Regulations* (10 CFR) 170.11(a)(1)(ii) for NRC review and endorsement of Nuclear Energy Institute (NEI) 17-01, "Industry Guidance for Implementing the Requirements of 10 CFR Part 54, the License Renewal Rule for Subsequent License Renewal" and for NRC activities performed using the process outlined in NEI 17-01, including future submissions of this guidance document and future respective NRC activities.

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

*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—(ii) When the NRC, at the time the request/report is submitted, plans to use the information in response to an NRC request from the Office Director level or above to resolve an identified safety, safeguards, or environmental issue, or to assist the NRC in generic regulatory improvements or efforts (e.g., rules, regulatory guides, regulations, policy statements, generic letters, or bulletins).*

In this case, NEI 17-01 details a process developed to provide an acceptable approach for implementing the requirements of 10 CFR Part 54, the License Renewal Rule, for subsequent license renewal (SLR) that will be used by many licensees in completing and submitting subsequent license renewal applications (SLRAs). Your letter further states that it is expected that following this guideline will offer a stable and efficient process, resulting in the issuance of a renewed license, and will therefore support more widespread use of these applications throughout the industry. Thus, it should save both industry and NRC resources in developing and reviewing, respectively, SLRAs.

The NRC staff anticipates that there will be a significant number of SLRAs submitted beginning in fiscal year 2018 or 2019. As such, a process for implementing the requirements of the license renewal rule (i.e., 10 CFR Part 54) defined by an NRC regulatory guide (RG) will be required such as an update of RG 1.188.

As such, review and comments on NEI 17-01 will meet the criteria of *10 CFR 170.11(a)* in that it will provide “a special a product... to assist the NRC in generic regulatory improvements or efforts (e.g., rules, regulatory guides, regulations, policy statements, generic letters, or bulletins).”

Thus, the NRC staff concludes that NRC review of NEI 17-01, “Industry Guidance for Implementing the Requirements of 10 CFR Part 54, the License Renewal Rule for Subsequent License Renewal,” and the review of future revisions of NEI 17-01 in response to NRC comments meets the criteria under 10 CFR 170.11(a)(1)(ii). Therefore, the fee waiver request is approved for the staff review of NEI 17-01, including the review of future submissions of this guidance document and for the staff use of this document to update RG 1.188 or a new regulatory guide. However, any further NRC activities with NEI 17-01 beyond those cited above in NRC’s acceptance of the fee waiver will require you to submit a new fee waiver request for NRC consideration, pursuant to the new fee exemption provisions under 10 CFR 170.11 (a)(1).

If you have any technical questions regarding this matter, please contact Ms. Bennett Brady at 301-415-4107. Please contact Mr. William Blaney, of my staff, at 301-415-5092, for any fee-related questions.

Sincerely,

*/RA/*

Maureen E. Wylie

SUBJECT: LETTER TO JERUD E. HANSON RE: NEI FEE WAIVER REQUEST FOR NEI 17-01, DATED JUNE 1, 2017

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