



OFFICE OF THE
CHIEF FINANCIAL
OFFICER

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

August 4, 2017

Ms. Nancy L. Ranek
Senior Project Manager
Life Extension and New Technology
Nuclear Energy Institute
1201 F Street NW, Suite 1100
Washington, DC 20004

Dear Ms. Ranek:

On behalf of the U.S. Nuclear Regulatory Commission (NRC), I am responding to your June 29, 2017, letter requesting a fee waiver under Title 10 of the *Code of Federal Regulations* (10 CFR) 170.11(a)(1)(ii) for activities performed by the NRC for the review and endorsement of NEI 17-04, "Model SLR New and Significant Assessment Approach for SAMA, Revision 0."

The NRC has established regulations for the granting of fee exemptions under 10 CFR 170.11, "Exemptions," which licensees may apply for, in accordance with 10 CFR 170.5, "Communications." The NRC staff has reviewed your request based on the following regulations, 10 CFR 170.11(a)(1)(ii) and 10 CFR 170.11(a)(13):

10 CFR 170.11(a) 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) 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).

10 CFR 170.11(a)(13) All fee exemption requests must be submitted in writing to the Chief Financial Officer in accordance with § 170.5,¹ and the Chief Financial Officer will grant or deny such requests in writing.

A severe accident mitigation design alternatives (SAMDA) analysis or a severe accident mitigation alternatives (SAMA) analysis is documented in the NRC's final environmental statement (FES, FSEIS, or EA) that supports issuance of an operating license issued pursuant to 10 CFR Part 50, a combined license issued pursuant to Part 52, or a renewed license issued pursuant to Part 54. NEI 17-04 is a model approach for assessing the significance of new information, of which the applicant for renewal of a nuclear power reactor operating license or

¹ 10 CFR 170.5 provides that "All communications concerning the regulations in this part should be addressed to the NRC's Chief Financial Officer, either by mail to the U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001; by hand delivery to the NRC's offices at 11555 Rockville Pike, Rockville, Maryland; or, where practicable, by electronic submission, for example, via Electronic Information Exchange, or CD-ROM."

extension of a combined license is aware, that relates to either the SAMDA or SAMA analysis. Subsequent license renewal (SLR) applicants are required to perform an assessment of new information, for which NEI 17-04 provides guidance, and include the results in the applicant's environmental report submitted as part of the application.

The use of the guidance supports increased regulatory efficiency of agency efforts as it provides a consistent approach for implementing the requirements of 10 CFR Part 51, as it applies to license renewal. Once endorsed by NRC, the use of this guidance supports increased regulatory efficiency of agency efforts as the methods evaluated under this process will be used by many licensees in completing and submitting SLR applications, which will increase NRC efficiency in completing an application review and reduce burden substantially. The review of this document is generic to the industry and not specific to any nuclear power plant. Therefore, the NRC concludes that NEI 17-04 meets the requirements of 10 CFR 170.11(a)(1)(ii).

Additionally, the fee exemption request for NRC review of NEI 17-04 was submitted in writing by NEI; therefore NEI's request meets the requirements of 10 CFR 170.11(a)(13).

The NRC staff concludes that activities performed by the NRC for the review and endorsement of NEI 17-04, "Model SLR New and Significant Assessment Approach for SAMA, Revision 0", dated June 29, 2017, fulfills the criteria required by 10 CFR 170.11(a)(1)(ii) and 10 CFR 170.11(a)(13); therefore, the fee waiver request is approved. Future revisions to NEI 17-04 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)(ii) and 10 CFR 170.11(a)(13). If you have any technical questions regarding this matter, please contact, Mr. Jerry Dozier at (301) 415-3925. Please contact Mr. William Blaney, of my staff, at (301) 415-5092, for any fee-related questions.

Sincerely,

/RA/

Maureen E. Wylie
Chief Financial Officer

SUBJECT: LETTER TO NANCY RANEK, NEI IN RESPONSE TO A FEE WAIVER DATED JUNE 29, 2017 (NEI 17-04, REV 0), dated August 4, 2017

DISTRIBUTION:

J. Rikhoff, NRR
 N. Martinez, NRR
 J. Dozier, NRR
 J. Dudek, OCFO

ADAMS: Yes No Initials: WB SUNSI Review: WB
 Publicly Available Non-Publicly Available Sensitive Non-Sensitive

ADAMS Accession No: ML17186A146

***via e-mail**

OFFICE	OCFO/DPB/LFPT	NRR/DLR/RERP	NRR/DRA/ARCB	NRR/DLR	NRR/DRA
NAME	WBlaney	BBeasley	KHsueh	GWilson	JGitter
DATE	07/5/17	07/06/17	07/06/17	7/12/17	7/11/17
OFFICE	OGC	OCFO/DOC/ARB	OCFO/DPB/LFPT	OCFO/DPB	DPB
NAME	Ilrvin	MBlair	MKaplan	RAllwein	BFicks
DATE	07/26/17	8/2/17	8/2/17	8/4/17	
OFFICE	DCFO	CFO			
NAME	MCMuessle	MEWylie			
DATE		08/ /17			

OFFICIAL RECORD COPY