

NOV 22 1983

Docket No. 50-244

Rochester Gas and Electric Corporation  
ATTN: Mr. John E. Maier, Vice President  
Electric and Steam Production  
89 East Avenue  
Rochester, New York 14649

Gentlemen:

SUBJECT: 10 CFR 170 FEES FOR FIRE PROTECTION REVIEWS AND APPROVALS FOR  
R. E. GINNA NUCLEAR POWER PLANT

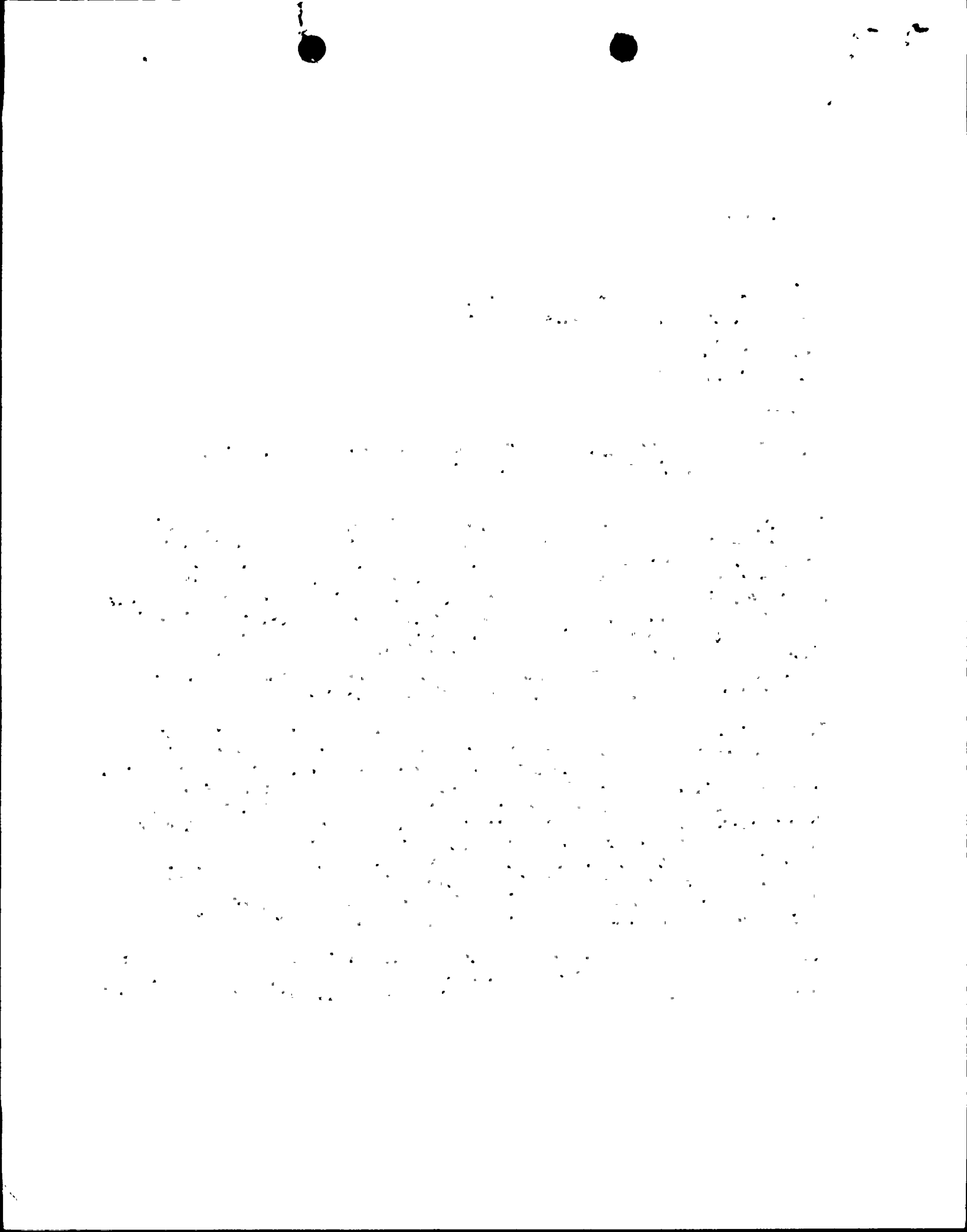
The purpose of this letter is to address the fee requirements of 10 CFR 170 as they relate to actions pertaining to the fire protection requirements of 10 CFR 50. On February 17, 1981, 10 CFR 50.48 and Appendix R, which added fire protection requirements for operating nuclear power plants, became effective. Prior to that date, fees were exempted for the review and approval of fire protection actions based on Branch Technical Position BTP APCS 9.5-1 and its Appendix A. Since the February 1981 amendment of 10 CFR 50, there have been a number of requests filed by licensees for their plants. These requests consist of exemptions from schedular and other requirements, and other reviews (e.g., alternate safe shutdown capability).

It is current NRC policy to exempt from fees all of the fire protection exemptions granted pursuant to 10 CFR 50.12 by the staff of the Division of Licensing (DL) unless a license amendment or other approval is also required. On this basis, fees have not been requested for any of these types of exemptions. Fees will be charged for all other approvals and denials relating to fire protection. This means that the review and approval of the alternate safe shutdown capability and any reviews which result in a denial of a request for your facility are subject to fees pursuant to 10 CFR 170.22. A DL letter dated November 24, 1980, informed all reactor licensees with plants licensed prior to January 1, 1979, that fees were required for requests for Commission action resulting from the fire protection rule.

Based on a review of the fire protection requests filed by your company for the subject facility, we find that a total of \$4,000 is required. The enclosed list reflects each request, any fees paid, fees due, and the DL staff's

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fee determination and action on each. It is requested that your company re-  
mit \$4,000 to our office for fees currently due on your fire protection re-  
quest. Fees for any future approvals by the DL staff on pending applications  
currently on file and any subsequent requests by your company under the current  
10 CFR 170 will be in accordance with the position set forth in this letter.

If for some reason our list does not include all fire protection requests that  
your company has on file with the DL staff, we will address the excluded ones  
in a later letter if fees are required. If they are approved totally pursuant  
to 10 CFR 50.12, they will be exempted from fees, but an additional letter will  
not be sent to you unless required otherwise (e.g., fees paid and refund has to  
be made).

Sincerely,

Original Signed by  
Wm. O. Miller

William O. Miller, Chief  
License Fee Management Branch  
Office of Administration

Enclosure:  
List of Applications and Fees

DISTRIBUTION w/enclosure:

- PDR
- LPDR
- G. Dick, ORB-5
- Regulatory Docket File (record cy.) ✓
- H. Smith, ORB-5
- T. Wambach, ORB-5
- R. Diggs, LFMB
- LFMB Reactor File
- LFMB Pending Check File
- LFMB R/F

*WOM*

OFFICE ▶	LFMB:ADM	LFMB:ADM	LFMB:ADM				
SURNAME ▶	RMDiggs:rmf	CJHolloway	WOMiller				
DATE ▶	11/21/83	11/21/83	11/22/83				

Dear Sir,  
I have the pleasure to acknowledge the receipt of your letter of the 15th inst. in relation to the above mentioned matter.

Yours faithfully,  
[Signature]

Very truly yours,  
[Signature]

Very truly yours,  
[Signature]

List of Applications and Fees

R.E. Ginna Nuclear Power Plant

Docket No. 50-244

<u>Application Date</u>	<u>Fees Paid</u>	<u>Fees Applicable</u>	<u>ONRR's Fee Determination &amp; Action</u>
3/19/81 1. Alternate Safe Shutdown	None	\$4,000	Single safety - issue approved on 4/11/83
2. Exemption from Appendix R	None	None	Exemptions not required per 4/11/83 letter
6/19/81 Scheduler extension	\$1,200	\$1,200	Administrative in nature approved on 6/30/81

FEES DUE.....\$4,000

