



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

October 31, 2017

Mr. Michael D. Tschiltz, Senior Director
New Plant, SMR & Advanced Reactors
Nuclear Energy Institute
1201 F Street, NW, Suite 1100
Washington, DC 20004

SUBJECT: THE U.S. NUCLEAR REGULATORY COMMISSION RECEIPT OF THE NUCLEAR ENERGY INSTITUTE'S SUBMISSION, "RESPONSE TO NRC PRELIMINARY COMMENTS ON NEI 98-03, GUIDELINES FOR UPDATING FINAL SAFETY ANALYSIS REPORTS, DRAFT REVISION 2" DATED SEPTEMBER 5, 2017

Dear Mr. Tschiltz:

The U.S. Nuclear Regulatory Commission (NRC) has received your letter dated September 5, 2017, requesting the staff's review and feedback on the Nuclear Energy Institute's (NEI) updated revision of "NEI 98-03, Guidelines for Updating Final Safety Analysis Reports, Draft Revision 2" (Agencywide Documents Access and Management System (ADAMS) Accession No. ML17249A097).

The revised draft of NEI 98-03 responds to a select set of preliminary comments provided by NRC staff on February 28, 2017 (ADAMS Accession No. ML16222A424). In your letter, NEI requested a public meeting be scheduled to align on resolution of the subset of NRC staff's comments in order to submit a "narrow scope" revision with a request for NRC endorsement as final guidance. Regarding NRC staff's additional comments outside of the narrow scope, NEI proposed that addressing these comments be deferred until a later revision of Regulatory Guide 1.181, "Content of the Updated Final Safety Analysis Report in Accordance with 10 CFR 50.71(e)," which currently endorses NEI 98-03 Revision 1.

The NRC has reviewed the written request and NEI's proposal for eventual endorsement of a "narrow scope" revision of NEI 98-03. Multiple revisions of RG 1.181 would be inefficient and the scope of needed revisions are known and have been discussed in a public forum. If NEI requests endorsement of a "narrow scope" revision, the NRC will conduct a comprehensive update to regulatory guidance that will reflect (1) any new NEI submittal related to a narrow scope revision, (2) all unaddressed preliminary comments that were provided to NEI via the February 20, 2017 letter, and (3) any emergent issues. Any endorsement provided via regulatory guide, conditional or otherwise, will be reflective of all three elements.

M. Tschiltz

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The Office of the Chief Financial Officer has not received a fee exemption request associated with your letter. In order for NRC staff to review the revised document and schedule a public meeting, NEI has the following options: (1) pay for NRC's effort to disposition the document, (2) submit a fee exemption request to the Chief Financial Officer, (3) re-submit the information under an established NRC process, or (4) if none of the alternatives are desirable, the NRC will treat the submittal as informational only. Given that NEI plans to address only a subset of NRC staff's comments, staff review of the November 5, 2017 submission would be considered a lower priority activity.

If you have any questions, please contact Barbara Hayes at (301) 415-7442 or via e-mail Barbara.Hayes@nrc.gov.

Sincerely,

/RA/

Francis M. Akstulewicz, Director
Division of New Reactor Licensing
Office of New Reactors

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(Revised 05/08/2017)

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