



CHIEF FINANCIAL
OFFICER

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

July 13, 2018

Mr. Ken Schrader
Chief Operating Officer and Chairman
PWR Owners Group
1000 Westinghouse Drive
Cranberry Township, PA 16066

Dear Mr. Schrader:

On behalf of the U.S. Nuclear Regulatory Commission (NRC), I am responding to your May 17, 2018, letter requesting a fee waiver under Title 10 of the *Code of Federal Regulations* (10 CFR) 170.11(a)(1)(ii) for review of the following topical report (TR) supplements: (1) BAW-2192-P, Supplement 1, Revision 0, "Low Upper-Shelf Toughness Fracture Mechanics Analysis of Reactor Vessels of B&W Owners Reactor Vessel Working Group for Levels A & B Service Load" and (2) BAW-2178-P, Supplement 1, Revision 0, "Low Upper-Shelf Toughness Fracture Mechanics Analysis of Reactor Vessels of B&W Owners Reactor Vessel Working Group for Levels C & D Service Load."

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.

In your letter dated May 17, 2018, you state that the NRC may need to include new J-R test data to update the NUREG/CR-5729 Linde 80 J-R model to cover the subsequent period of extended operation, and that NRC approval of the TR supplements will ensure that a common, consistent approach will be used to address the low upper-shelf toughness fracture mechanics analyses of B&W fabricated reactor vessels in subsequent license renewal applications.

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."

The letter further states that NRC review of these reports provides an opportunity for the staff to develop a consistent approach for review of TRs that address reactor vessel integrity Time Limited Aging Analysis for subsequent license renewal.

The NRC staff has reviewed the request and finds the NRC does not have any current plans or activity to update NUREG/CR-5729, or RG 1.161, which references it. Therefore, NRC staff review of the J-R data in BAW-2192, Supplement 1, and BAW-2178, Supplement 1, will not be used to support generic regulatory improvements or assist in a new or additional generic regulatory improvement or effort. Consequently, the NRC staff denies the PWR Owners Group request dated May 17, 2018, requesting a fee waiver for the review of BAW-2192 and BAW-2178.

If you have any technical questions regarding this matter, please contact Mr. Ed Miller at 301-415-2481. Please contact Ms. Jo Jacobs, of my staff, at 301-415-8388 for any fee-related questions.

Sincerely,

/RA/

Maureen E. Wylie
Chief Financial Officer

SUBJECT: LETTER TO KEN SCHRADER, PWROG OWNERS GROUP RE: SUBMISSION OF TOPICAL REPORT FOR REVIEW AND APPROVAL OF BAW-2192-P, SUPPLEMENT 1, REVISION 0, AND BAW-2178-P, SUPPLEMENT 1, REVISION 0, Dated July 13, 2018

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