



CHIEF FINANCIAL
OFFICER

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

April 1, 2019

Mr. Andrew McGehee
BWRVIP Program Manager
Electric Power Research Institute
3420 Hillview Avenue
Palo Alto, CA 94304

Dear Mr. McGehee:

On behalf of the U.S. Nuclear Regulatory Commission (NRC), I am responding to your letter dated March 8, 2019, requesting a fee waiver under Title 10 of the *Code of Federal Regulations* (10 CFR) 170.11(a)(1)(ii) for NRC review of "BWRVIP-321: BWR Vessel and Internals Project, Plan for Extension of the BWR Integrated Surveillance Program (ISP) Through the Second License Renewal (SLR)," EPRI Technical Report 3002013097, December 2018.

The NRC has established regulations for the granting of fee exemptions under 10 CFR 170.11, "Exemptions," which may be applied 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 § 170.5¹, and the Chief Financial Officer will grant or deny such requests in writing.

In your letter you state that the currently approved ISP program plan only addresses operation of the U.S. BWR fleet up to 60 years, and that the current program is unable to provide a complete set of data to support operation of the U.S. Boiling Water Reactor (BWR) fleet for a SLR (80 years). An extension to the ISP will ensure that concerns regarding 80 years of operation will be addressed and data will be provided so that the NRC can continue to assess

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 adequacy of the Regulatory Guide 1.9, Revision 2, "Radiation Embrittlement of Reactor Vessel Materials," models for BWRs. If accepted for use by the NRC, BWRVIP-321 may be used for each BWR SLR, and by reviewing one document versus multiple applications in individual SLRs, the NRC staff would benefit by having a significant reduction in time and resources.

The NRC staff concludes that EPRI's request for NRC review of "BWRVIP-321: BWR Vessel and Internals Project, Plan for Extension of the BWR Integrated Surveillance Program (ISP) Through the Second License Renewal (SLR)," meets the criteria under 10 CFR 170.11(a)(1)(ii) because the guidance will assist the NRC in generic regulatory improvements or efforts; therefore, the fee waiver request is approved.

If you have any technical questions regarding this matter, please contact Mr. Joseph Holonich at 301-415-7297. 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 ANDREW MCGHEE RESPONSE TO FEE WAIVER BWRVIP-321,
 DATED: April 1, 2019

DISTRIBUTION:

D. Alley, NRR
 D. Morey, NRR
 K. Riner, OCFO
 B. Hamilton, OCFO
 RidsNrrOd Resource

ADAMS: Yes No Initials: JJ SUNSI Review: JJ
 Publicly Available Non-Publicly Available Sensitive Non-Sensitive
ADAMS Accession No: ML19073A238 ***via e-mail CFO-xxxx**

OFFICE	OCFO/DB/LFPT	NRR/DLP/PLPB	OGC	OCFO/DO C	OCFO/DOC
NAME	JJacobs	JHolonich*	CMcCann*	MBlair*	CFredricks* (M.Blair for)
DATE	3/14/2019	3/14/2019	3/26/2019	3/27/2019	3/27/2019
OFFICE	OCFO/DB/LFPT	OCFO/DB	DB	DCFO	CFO
NAME	ARossi	RAllwein	SCoffin	BFicks	MEWylie
DATE	3/26/2019	3/27/2019	3/27/2019	04/01/19	04/01/19