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AUG 09 1984

Docket No. 50-293

Boston Edison Company  
ATTN: Mr. William D. Harrington  
Senior Vice President - Nuclear  
800 Boylston Street  
Boston, Massachusetts 02199

Gentlemen:

SUBJECT: 10 CFR 170 FEES FOR FIRE PROTECTION REVIEWS AND APPROVALS FOR  
THE PILGRIM NUCLEAR POWER STATION

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 filed prior to June 20, 1984, which are 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 remit the sum of \$4,000 to our office for fees currently due on your fire protection requests. Fees for any future approvals by the DL staff on pending applications currently on file as of June 19, 1984, by your Company will be in accordance with the position set forth in this letter. For those portions of all applications on the enclosed list which were approved pursuant to 10 CFR 50.12, we have concluded that an exemption, pursuant to 10 CFR 170.11(b), from the fee requirements is authorized by law and such exemption is otherwise in the public interest and is hereby granted for them.

If for some reason our list does not include all fire protection requests that your Company currently has on file with the DL staff, we will address the excluded ones in a later letter if fees are required. If any of those on file as of June 19, 1984, 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).

For your information, a brief discussion on fees for applications for license amendments and other requests filed before and after June 20, 1984, is contained in Enclosure 2 to this letter. If there are any questions regarding fees, you may contact us on 301-492-7225.

Sincerely,

Original Signed by  
Wm. O. Miller

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

Enclosures:

1. List of Applications and Fees
2. Fee Assessment Information

OFFICE ▶	LFMB:ADM	LFMB:ADM	LFMB:ADM	LFMB:ADM			
SURNAME ▶	LTremper/rf	RMDiggs	CJHolloway	WOMiller			
DATE ▶	8/ /84	8/ 7 /84	8/ /84	8/ 8 /84			

List of Applications and Fees

Pilgrim Nuclear Power Station

Docket No. 50-293

<u>Application Date</u>	<u>Fees Paid</u>	<u>Fees Applicable</u>	<u>DL's Fee Determination &amp; Action</u>
3/9/81, as supplemented Scheduler exemption	None	None	Exempt - Issued pursuant to 10 CFR 50.12 on 5-4-82.
3/18/81 Exemption from III.G - Fixed Fire Suppression System	None	None	Exempt - Issued pursuant to 10 CFR 50.12 on 11-10-81.
6/25/82, as supplemented a. Alternate Safe Shutdown Capability	None	\$4,000	Single safety issued. Approved by letters and SE on 1-17-83 and 11-2-83.
b. Exemption from Appendix R	None	Pending	
11/16/83 Exemption from III.G.2(a)	None	Pending	

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

NOTE REGARDING FEES FOR LICENSE AMENDMENTS AND OTHER APPROVALSJune 20, 1984

Applications for license amendments (including construction permit extension requests), reliefs, exemptions and other approvals filed with the USNRC prior to June 20, 1984, will continue to be assessed fees based on 10 CFR 170.22 of the March 23, 1978 regulation. Applications filed on or after June 20, 1984, should be in accordance with the enclosed revised Part 170 that became effective on June 20, 1984. The revised rule eliminates the fee Classes I through VI and requires licensees to remit an application fee of \$150 with each application for license amendment, relief and exemption from the requirements of certain regulations, and other approvals. Thereafter, at six-month intervals, the USNRC will bill the licensee for the review of the application until it is completed. Under the revised rule, the fees for license amendments and other approvals are based on the full cost (professional staff hours and contractual services) expended for the review. However, the maximum which can be charged for an application is the amount in the rule in effect at the time the amendment or other approval action is issued. The amount is currently \$164,600 (10 CFR 170.21.A) for power reactor cases. Credit for the non-refundable \$150 application fee (see Footnote 2 of 170.21) will be given at the time the first bill is sent to the licensee. The first six-month bills are expected to be sent out to licensees approximately March 1, 1985 and will cover the six-month period ending December 22, 1984.