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NUCLEAR ENERGY INSTITUTE

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August 19, 1999

Mr. David B. Matthews, Director
Division of Regulatory Improvement Programs
Office of Nuclear Reactor Regulation
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

PROJECT NUMBER: 689

Dear Mr. Matthews:

Enclosed for NRC staff review is a preliminary draft of NEI 96-07, Revision 1, *Guidelines for 10 CFR 50.59 Evaluations*. Our purpose in providing this preliminary draft is to obtain early feedback from your staff, and to facilitate discussion at our meeting set for September 2.

Based on your feedback and further review by our 10 CFR 50.59 Task Force, we plan to re-submit a revised draft to the NRC in mid-September for more formal agency comment. The same draft will be distributed to the industry for comment. After addressing NRC and industry comments, we will submit NEI 96-07, Revision 1, to NRC for endorsement in a regulatory guide later this fall.

In light of the concurrent rulemaking that conformed 10 CFR 72.48 to the changes in 10 CFR 50.59, we believe 10 CFR 50.59 guidance may be applied to control changes tests and experiments involving independent spent fuel storage facilities, as discussed in Section 1.4 of the enclosure. We understand the staff may be planning to issue a separate regulatory guide addressing application of NEI 96-07 to 10 CFR 72.48.

We look forward to our interactions concerning the revision to NEI 96-07. Please call me at (202) 739-8081 if you have any questions.

Sincerely,

Anthony R. Pietrangelo

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ARP/RJB/ngs
Enclosure

c: Eileen McKenna

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