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May 7, 2021

Ms. Cherish K. Johnson
Chief Financial Officer
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Subject: Fee Exemption Request for NEI 99-01, "Development of Emergency Action Levels for Non-Passive Reactors," Revision 7

Project Number: 689

Dear Ms. Johnson:

The Nuclear Energy Institute (NEI)¹ has submitted a draft version of NEI 99-01, "Development of Emergency Action Levels for Non-Passive Reactors," Revision 7, for review by the staff of the U.S. Nuclear Regulatory Commission (NRC) to support public meeting engagements leading to an eventual endorsement of the document in a Regulatory Guide. NEI 99-01 provides guidance to nuclear power plant licensees for the development of an emergency classification scheme to meet NRC requirements contained in Title 10 of the Code of Federal Regulations (10 CFR) 50.47(b)(4) and 10 CFR 50, Appendix E, "Emergency Planning and Preparedness for Production and Utilization Facilities." As an industry generic standard, the NRC staff has reviewed and endorsed previous revisions of NEI 99-01 without requiring a review fee and the document is publicly available for use by all U.S. power reactor facilities, including non-NEI members.

NEI requests that the NRC's review of NEI 99-01, Revision 7, including any subsequent submittals necessary to address staff review comments, be granted a fee waiver pursuant to the provisions of 10 CFR 170.11. The document meets the exemption requirement in 10 CFR 170.11(a)(1)(ii) in that it will "...assist the NRC in generic regulatory improvements or efforts." In this case, NRC review and endorsement of NEI 99-01, Revision 7, will promote a consistent approach to the development of emergency classification schemes by power reactor facilities. This outcome will increase the efficiency of licensing actions (e.g., staff review and

¹ The Nuclear Energy Institute (NEI) is responsible for establishing unified policy on behalf of its members relating to matters affecting the nuclear energy industry, including the regulatory aspects of generic operational and technical issues. NEI's members include entities licensed to operate commercial nuclear power plants in the United States, nuclear plant designers, major architect and engineering firms, fuel cycle facilities, nuclear materials licensees, and other organizations involved in the nuclear energy industry.

Ms. Cherish Johnson

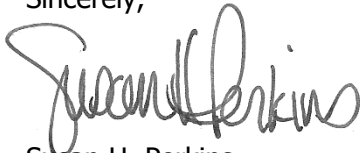
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approval of scheme changes as required by 10 CFR 50, Appendix E, section IV.B.2) and emergency preparedness inspection activities performed under the Reactor Oversight Process.

Questions concerning this request should be directed to Mr. David Young (202-739-8127 or dly@nei.org).

Sincerely,

A handwritten signature in dark ink, appearing to read "Susan H. Perkins". The signature is fluid and cursive, with the first name "Susan" being more prominent than the last name "Perkins".

Susan H. Perkins

c: Mr. Jessie Quichocho, NSIR/DPR/RLB, NRC
Mr. Ray Hoffman, NSIR/DPR/RLB, NRC
NRC Document Control Desk