



CHIEF FINANCIAL
OFFICER

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

May 18, 2022

Nathan Palm
BWRVIP Program Manager
Electric Power Research Institute
1300 West W.T. Harris Blvd
Charlotte, NC 28262-8550

SUBJECT: LETTER TO NATHAN PALM RESPONSE FOR FEE EXEMPTION BWRVIP-321-A, IRRADIATION SCHEDULE CHANGE REQUEST

Dear Nathan Palm:

On behalf of the U.S. Nuclear Regulatory Commission (NRC), I am responding to your letter dated April 1, 2022 (Agencywide Documents Access and Management System Accession No. ML22097A108), requesting a fee exemption under Title 10 of the *Code of Federal Regulations* (10 CFR) 170.11(a)(1)(ii) for NRC review and endorsement of the Electric Power Research Institute's (EPRI) "BWRVIP-321-A Irradiation Schedule Change Request."

The NRC has established regulations for granting fee exemptions under 10 CFR 170.11, "Exemptions." An interested person may apply for an exemption under 10 CFR 170.11 in accordance with 10 CFR 170.5, "Communications."¹ The NRC staff 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, and the Chief Financial Officer will grant or deny such requests in writing.

In your letter submitting "BWRVIP-321-A Irradiation Schedule Change Request," you indicate that NRC approval of an alternative irradiation schedule is necessary to implement the overall approach approved by the NRC in BWRVIP-321-A. BWRVIP-321-A provides an extension to

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."

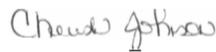
the BWRVIP reactor vessel integrated surveillance program (ISP) to address operation through 80 years.² Without such an extension, individual boiling water reactor (BWR) plants applying for subsequent license renewal would have to reinstate their previous plant-specific surveillance programs, which would potentially reintroduce NRC concerns that were successfully addressed by the BWRVIP ISP. The extension to the ISP ensures that data is provided for the NRC to continue to assess the adequacy of Regulatory Guide 1.99, "Radiation Embrittlement of Reactor Vessel Materials," Revision 2, or other embrittlement trend models for BWRs.

Your letter states that it has recently been concluded that the irradiation schedule contained in BWRVIP-321-A is not adequate for the plant selected to host the supplemental SLR surveillance capsules that are essential to the overall approach defined in BWRVIP-321-A. Thus, revision of the irradiation schedule is needed in order for the NRC-approved approach described in BWRVIP-321-A to be successfully implemented and for NRC concerns to be addressed through 80 years of operation. For these reasons, EPRI requests a fee exemption for review of the alternative irradiation schedule.

The NRC staff concludes that EPRI's request for NRC review of BWRVIP-321-A, "Irradiation Schedule Change Request," 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 exemption request is approved.

If you have any technical questions regarding this matter, please contact Lois James at 301-415-3306. Please contact Billy Blaney, of my staff, at 301-415-5092 for any fee-related questions.

Sincerely,



Signed by Johnson, Cherish
on 05/18/22

Cherish K. Johnson
Chief Financial Officer

² EPRI was granted a fee exemption for review of BWRVIP-321 (see ADAMS Accession No. ML19073A238).

SUBJECT: LETTER TO NATHAN PALM RESPONSE FOR FEE EXEMPTION BWRVIP-321-A,
IRRADIATION SCHEDULE CHANGE REQUEST DATED: MAY 18, 2022

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