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April 28, 2023

Mr. James Corbett
Chief Financial Officer (Acting)
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Subject: Fee Exemption Request for Endorsement, Review and Meeting to Discuss Draft Nuclear Energy Institute Technical Report NEI 23-01, "Operator Cold License Training Plan for Advanced Nuclear Reactors"

Project Number: 689

Dear Mr. Corbett:

The Nuclear Energy Institute (NEI)¹, on behalf of its members, is writing to request a waiver of fees associated with the NRC staff's review of Draft NEI 23-01, "Operator Cold License Training Plan for Advanced Nuclear Reactors." NEI 23-01 provides applicants for Advanced Nuclear Reactors with a standard plan to train and license operators before construction of the plant is complete. NRC review and endorsement of NEI 23-01 will allow applicants to reference this plan within their Advanced Reactor CP/COL application and reduce the time the staff needs to review the application.

NEI requests that NRC's review of NEI 23-01, including any subsequent submittals necessary to address staff review comments, be granted a fee waiver pursuant to 10 CFR 170.11. NRC's review of the document meets the exemption requirement in 10 CFR 170.11(a)(1)(ii) because the review will "...assist the NRC in generic regulatory improvements or efforts."

Since existing industry guidance does not provide a viable path for Operator Cold License Training, each applicant will need to have a plan in their CP/COL application for how to approach this topic. This could result in many different approaches being taken, which would require the NRC staff to review them anew with each application. General guidance, like that provided in NEI 23-01, can be reviewed and endorsed by the NRC staff once. This guidance can be referenced in the individual applications and would need no additional review by the staff, thereby potentially saving review time.

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.

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NEI has discussed NEI 23-01 with the staff in multiple venues already, including a public meeting in December 2022. The draft technical report will be provided to the staff to collect comments and observations to ensure there are not significant staff concerns with the guidance. It will then be updated as needed and submitted to the NRC for endorsement.

NEI members pay dues that, in part, fund development of documents such as NEI 23-01, and NEI members are provided access to these documents in exchange for payment of those dues. NEI 23-01 is a proprietary technical report that provides guidance on setting up a training plan for Operators prior to completing construction of an Advanced Nuclear Reactor. Consequently, NEI is requesting that portions of NEI 23-01 be withheld from public disclosure pursuant to 10 CFR 2.390. The pages in the attached document that are being requested to be withheld are marked appropriately. To ensure industry access, NEI will make the document available to all NEI members and to non-NEI members for a reasonable fee. Thus, access to NEI 23-01 would not be limited to any arbitrary class of licensees.

If there are any questions on this matter, please contact either me at ras@nei.org or Marcus Nichol at mrn@nei.org.

Sincerely,

A handwritten signature in black ink, appearing to read "R. Stadtlander".

Rick Stadtlander

Attachment: Draft NEI 23-01, "Operator Cold License Training Plan for Advanced Nuclear Reactors,"
Redacted Version

c: Scott Tonsfeldt, DANU, NRR, NRC
Steven Lynch, DANU, NRR, NRC
NRC Document Control Desk