

August 16, 2011

Mr. David Czufin, Exelon
Chairman, BWR Vessel and Internals Project
Electric Power Research Institute
3420 Hillview Avenue
Palo Alto, CA 94304-1395

Dear Mr. Czufin:

On behalf of the U.S. Nuclear Regulatory Commission (NRC), I am responding to your June 30, 2011, letter requesting an exemption under 10 CFR 170.11(a)(1)(iii) from all fees associated with the NRC's review of "BWRVIP-76, Revision 1: Boiling Water Reactor (BWR) Vessel and Internals Project, BWR Core Shroud Inspection and Flaw Evaluation Guidelines." Your request meets the fee exemption criteria; therefore, I am granting your request, as explained below.

Your fee exemption request states that BWRVIP-76, Revision 1, is a means of exchanging information for the purpose of supporting NRC's generic regulatory improvements related to BWR core shroud inspections and evaluations. The NRC staff has reviewed your submittal and concluded that your topical report will provide a means of exchanging information to support NRC's generic regulatory improvements or effort. Furthermore the updated BWRVIP-76 is likely to be incorporated by reference into NUREG-1801, "Generic Aging Lessons Learned Report," used as part of NRC evaluations for license renewals, replacing the current reference to BWRVIP-76-A. Finally, the guidance in BWRVIP-76, Revision 1, serves as a means to address core shroud inspection and evaluation guidelines that are not addressed by the American Society of Mechanical Engineers Code or by NRC regulations. Hence, I am able to grant you a fee exemption under the provisions of 10 CFR 170.11(a)(1)(iii).

Although a fee exemption is granted, it is important to emphasize that the NRC is required by law to recover 90 percent of its operating expenses through user fees. While the effort described in this letter is exempt from Part 170 direct fee assessment, NRC resources expended to resolve this issue will be included in annual fees assessed under the provisions of Part 171.

D. Czufin

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If you have any technical questions regarding this matter, please contact Daniel Widrevitz at (301) 415-2620. For fee-related questions please contact Rebecca Erickson of my staff at (301) 415-7126.

Sincerely,

/RA/

J. E. Dyer
Chief Financial Officer

cc: M. Mitchell, NRC
J. Rowley, NRC
A. Hon, NRC
C. Wirtz, FirstEnergy
R. Stark, EPRI

D. Czufin

-2-

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A. Hon, NRC
C. Wirtz, FirstEnergy
R. Stark, EPRI

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(closes CFO-2011-0187)

Adams: ☒ Yes ☐ No Initials: _____ SUNSI Review By: _____
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