



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

September 11, 2019

Thomas A. Bergman
1100 NE Circle Boulevard, Suite 200
Corvallis, Oregon 97330

Dear Thomas A. Bergman:

This letter is in response to the petition for rulemaking (PRM), dated August 19, 2019, that you, on behalf of NuScale Power, LLC, filed electronically with the U.S. Nuclear Regulatory Commission (NRC). Your petition is available in the NRC's Agencywide Documents Access and Management System under Accession No. ML19254B848.

You request that the NRC revise its regulations to alleviate a requirement for calculating the embrittlement for advanced reactor designs and add the formula for calculating the mean value of the transition temperature shift for the embrittlement trend curve (ETC) described in American Society for Testing and Materials (ASTM) E900-152 to the NRC's regulations and guidance documents. The NRC docketed your petition pursuant to § 2.803 of Title 10 of the *Code of Federal Regulations*, "Petition for rulemaking-NRC action," on September 11, 2019, and assigned it Docket No. PRM-50-120. Please reference this docket number on any correspondence you may have concerning the petition.

You can monitor your petition on the Federal rulemaking Web site, <http://www.regulations.gov>, by searching on Docket ID NRC-2019-0180. In addition, the Federal rulemaking Web site allows you to receive alerts when changes or additions occur in a docket folder. To subscribe: (1) navigate to the docket folder NRC-2019-0180; (2) click the "E-mail Alert" link; and (3) enter your e-mail address and select how frequently you would like to receive e-mails (daily, weekly, or monthly). The NRC also tracks all petition actions on its Web site at <https://www.nrc.gov/about-nrc/regulatory/rulemaking/rules-petitions.html> and <http://www.nrc.gov/reading-rm/doc-collections/rulemaking-ruleforum/petitions-by-year.html>.

You may direct any questions you may have concerning the petition process or the status of your petition to Cindy Bladey at 301-415-3280 (e-mail: Cindy.Bladey@nrc.gov) or to me at 301-415-1230 (e-mail: Jill.Shepherd@nrc.gov).

Sincerely,

/RA/

Jill Shepherd, Acting Chief
Regulatory Analysis and
Rulemaking Support Branch
Division of Rulemaking
Office of Nuclear Material Safety and Safeguards

Thomas A. Bergman on
behalf of NuScale Power, LLC

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SUBJECT: PRM-50-120 – PETITION FOR RULEMAKING, THOMAS A. BERGMAN ON
BEHALF OF NUSCALE POWER, LLC

DATE: SEPTEMBER 11, 2019

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ADAMS Accession No. ML19254C613

*Concurrence by e-mail

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DATE	9/11/19	9/11/19*	9/11/19*

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