

Camille Zozula, Manager
Infrastructure & Facilities Licensing
Westinghouse Electric Company LLC
1000 Westinghouse Drive
Cranberry Township, Pennsylvania 16066.

Dear Ms. Zozula:

I am responding to the [petition for rulemaking](#) (PRM) dated November 4, 1999 (Agencywide Documents Access and Management System (ADAMS) Accession No. [ML003683190](#)), that was submitted on behalf of Westinghouse Electric Company LLC (Westinghouse), to the U.S. Nuclear Regulatory Commission (NRC). The petition was docketed as PRM-50-69 and requested that the NRC amend its regulations at Title 10 of the *Code of Federal Regulations* Part 50, Appendix G – Fracture Toughness Requirements. Specifically, the PRM requested the removal of footnotes (2) and (6) from Table 1 – Pressure and Temperature Requirements for the Reactor Pressure Vessel. This would eliminate minimum temperature requirements for the closure head flange [and vessel flange](#) regions. ~~In response to this petition, the NRC determined that the issues raised in PRM-50-69 would be considered in the ongoing rulemaking effort entitled, "Modifications to Pressure-Temperature Limits" (Appendix G rulemaking).~~

~~In response to this petition, the NRC initially determined that the issues raised in PRM-50-69 would be considered in the ongoing rulemaking effort entitled, "Modifications to Pressure-Temperature Limits" (Appendix G rulemaking) and published a *Federal Register* notice (74 FR 4911) on January 28, 2009 to this effect. On January 28, 2009, the NRC published a *Federal Register* notice (74 FR 4911) stating that the NRC would consider the issues raised in PRM-50-69 in an ongoing rulemaking to revise Appendix G. The notice also stated that if the ongoing work to establish a technical basis for the rulemaking did not support the issuance of a proposed rule, the NRC would issue a supplemental *Federal Register* notice that addressed why the NRC did not adopt the petitioner's requested rulemaking changes. In a January 2, 2009, letter (ADAMS Accession No. [ML083040153](#)), the NRC notified Westinghouse of this action.~~

In staff requirements memorandum (SRM)-SECY-16-0009, "Staff Requirements – SECY-16-0009 – Recommendations Resulting from the Integrated Prioritization and Re-Baselining of Agency Activities," dated (April 13, 2016) (ADAMS Accession No. [ML16104A158](#)), the Commission approved the ~~staff's recommendation to discontinuation of~~ the Appendix G rulemaking effort, ~~which addressed PRM-50-69, as discussed above.~~ As explained in SECY-16-0009, "Recommendations Resulting from the Integrated Prioritization and Re-Baselining of Agency Activities," dated (January 31, 2016) (ADAMS Accession No. [ML16028A208](#)), the NRC determined that ~~the research has not established any there is insufficient new information that would serve as the technical basis to revise 10 CFR Part 50, Appendix G in light of the NRC's relevant past decisions and current practices.~~ Therefore, the Commission is denying PRM-50-69 ~~in accordance with~~ under 10 CFR 2.803(i)(2). For additional information, please see the enclosed *Federal Register* notice.

Sincerely,

Commented [WJ1]: Add hyperlink to be consistent with other ML numbers provided.

Enclosure:
Federal Register Notice

Annette L. Vietti-Cook,
Secretary of the Commission

