

**From:** [Fields, Nicole](#)  
**To:** [GEORGE BERKA](#)  
**Cc:** [Berrios, Ilka](#); [Bladey, Cindy](#); [Chang, Helen](#)  
**Subject:** Petition for Rulemaking, "Criteria To Return Retired Nuclear Power Reactors to Operations" Status  
**Date:** Tuesday, December 17, 2019 4:46:00 PM

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Dear Mr. Berka,

I am writing to provide an update on the letter dated December 26, 2018, in which you submitted a petition for rulemaking to the U. S. Nuclear Regulatory Commission (NRC). You requested that 10 CFR Part 52 be amended and that the NRC "Generally allow the owner and / or operator of a nuclear power plant a fair, reasonable, and unobstructed opportunity to return a retired facility to full operational status, even if the operating license for the facility had previously been surrendered. The facility will only have to meet the safety standards that had been in place at the time the facility had last operated, and not the latest standards."

The NRC docketed the petition for rulemaking as PRM-50-117 and published a notice with a request for comment in the *Federal Register* on July 26, 2019 (84 FR 36036). The public comment period ended on October 9, 2019, and the NRC received 33 public comment submissions. These submissions have all been posted on [regulations.gov](https://www.regulations.gov) (Docket ID: NRC-2019-0063).

The NRC is making a determination on your petition for rulemaking. In accordance with 10 CFR 2.803(h), this determination may be based upon the merits of the petition and the substance of any public comments received. Once the NRC has made a determination on the petition, a notice will be published in the Federal Register.

Please feel free to contact me at [Nicole.Fields@nrc.gov](mailto:Nicole.Fields@nrc.gov) or 630-829-9570 if you have any additional questions.

Sincerely,  
Nicole Fields

Nicole Fields  
Health Physicist  
U. S. Nuclear Regulatory Commission, Region III  
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630-829-9570