

**From:** [GEORGE BERKA](#)  
**To:** [Bladey, Cindy](#)  
**Subject:** [External\_Sender] RE: RE: Re: Petition for Rulemaking  
**Date:** Thursday, October 17, 2019 7:26:45 PM

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Thank you Ms. Bladey.

On October 17, 2019 at 7:21 PM "Bladey, Cindy" <[Cindy.Bladey@nrc.gov](mailto:Cindy.Bladey@nrc.gov)> wrote:

Mr. Berka,

The timeline for resolving a petition for rulemaking largely depends on the nature and complexity of the request. Generally, it takes 1-2 years for NRC to resolve a legal/technical petition; this estimate is subject to resource availability and other agency priorities.

Now that the comment period has closed, NRC staff will review the technical merits of the petition and the public comments we have received. This step of the petition resolution process can take approximately 6 months. The staff will draft a recommendation for review by an internal board, and then prepare a formal recommendation to the Commission for approval. This step can take roughly 8-12 months, plus additional time for the Commission to issue a decision.

Regards,

Cindy Bladey

Cindy Bladey, Chief

Regulatory Analysis and Rulemaking Support Branch

U.S. Nuclear Regulatory Commission

Division of Rulemaking, Environmental, and Financial Support

Office of Nuclear Material Safety and Safeguards

11545 Rockville Pike

Mail Stop: T04B72

Rockville, Maryland 20852-2738

**From:** gberka57 <gberka57@comcast.net>  
**Sent:** Tuesday, October 15, 2019 6:43 PM  
**To:** Chang, Helen <Helen.Chang@nrc.gov>  
**Cc:** Bladey, Cindy <Cindy.Bladey@nrc.gov>; Rulemaking Resource <Rulemaking.Resource@nrc.gov>; Lewis, Antoinette <Antoinette.Lewis@nrc.gov>; Berrios, Ilka <Ilka.Berrios@nrc.gov>  
**Subject:** [External\_Sender] RE: Re: Petition for Rulemaking

Thank you. And about how long is the timeline?

Sent from my TCL LX

On Oct 15, 2019 4:42 PM, "Chang, Helen" <[Helen.Chang@nrc.gov](mailto:Helen.Chang@nrc.gov)> wrote:

Good afternoon, Mr. Berka.

The U.S. Nuclear Regulatory Commission's regulations at [§ 2.802\(b\)\(1\)\(i\)](#), *Consultation with the NRC*, permit me to describe the agency's process for a petition for rulemaking. The comment period closed on October 9, 2019, with 34 comments. The next steps are described in [10 CFR 2.803\(h\)](#), which provides some of the considerations that would affect the schedule for NRC's determination on your petition for rulemaking.

(1) *Determination*. Following docketing of a petition for rulemaking, the NRC's determination on the petition for rulemaking may be based upon, but is not limited to, the following considerations:

- (i) The merits of the petition;
- (ii) The immediacy of the safety, environmental, or security concern raised;
- (iii) The availability of NRC resources and the priority of the

issues raised in relation to other NRC rulemaking issues;

(iv) Whether the problems or issues are already under consideration by the NRC in other NRC processes;

(v) The substance of any public comment received, if comment is requested; and

(vi) The NRC's relevant past decisions and current policies.

...

(2) *Petition for rulemaking docket closure.* After the NRC determines the appropriate regulatory action in response to the petition for rulemaking, the NRC will administratively close the docket for the petition. The NRC will publish a notice describing that action with any related Docket Identification number (Docket ID), as applicable, in the *Federal Register*...

As noted in the excerpted text, the NRC's determination is subject to the availability of resources and Commission priorities. Please consider signing up for e-mail alerts through [Regulations.gov](https://www.regulations.gov). You can request to be notified by e-mail when anything is added or modified to your petition docket (PRM-50-117; NRC-2019-0063; Criteria to Return Retired Nuclear Power Reactors to Operations), and you can choose the frequency of this notification (daily, weekly, monthly).

You also can find the current status of your petition on the NRC's public Web site as well as more information on the petition for rulemaking process:

- For the current status of your petition for rulemaking: <https://www.nrc.gov/reading-rm/doc-collections/rulemaking-ruleforum/active/PetitionDetails.html?id=27>
- For an overview of the petition for rulemaking process <https://www.nrc.gov/reading-rm/doc-collections/fact-sheets/petition-rulemaking-process.html>
- Backgrounder on the Petition for Rulemaking Process: <https://www.nrc.gov/docs/ML1531/ML15313A454.pdf> and <https://www.nrc.gov/about-nrc/regulatory/rulemaking/rules-petitions.html>
- For the current status of petitions for rulemaking at the NRC: <https://www.nrc.gov/about-nrc/regulatory/rulemaking/rules->

[petitions.html](#)

Please let me know whether I have addressed your question and if you have any additional questions. Thank you for your interest in the petition for rulemaking process.

Sincerely,

Helen Chang

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**U.S. Nuclear Regulatory Commission**  
**Office of Nuclear Material Safety and Safeguards**

E-mail: [Helen.Chang@nrc.gov](mailto:Helen.Chang@nrc.gov)

Mail Stop: TWFN-4-B72

Room: TWFN-4-A15

Phone: 301-415-3228

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**From:** GEORGE BERKA <[gberka57@comcast.net](mailto:gberka57@comcast.net)>  
**Sent:** Friday, October 11, 2019 7:57 AM  
**To:** Lewis, Antoinette <[Antoinette.Lewis@nrc.gov](mailto:Antoinette.Lewis@nrc.gov)>  
**Subject:** [External\_Sender] Re: Petition for Rulemaking

Good Morning,

Since the deadline for the comments has passed, will the petition now be

decided? Do you know about how long that may take?

Thank you,

-George

On July 23, 2019 at 4:18 PM "Lewis, Antoinette"  
<[Antoinette.Lewis@nrc.gov](mailto:Antoinette.Lewis@nrc.gov)> wrote:

Good afternoon,

Please see the attached letter in reference to the petition for rulemaking and the *Federal Register* notice.

Thank you.

Antoinette Lewis (Angie)

Correspondence and Records Staff

Office of the Secretary (SECY)

Room Number: O16-B42

(301) 415-1674