

**From:** [Michael Lorton](#)  
**To:** [Bladey, Cindy](#)  
**Cc:** [Michael David Lorton](#)  
**Subject:** [External\_Sender] Re: Section 2.802 Rulemaking Petition  
**Date:** Thursday, February 27, 2020 8:55:04 PM

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Dear Ms. Bladey:

We were sorry to receive your email of 27 Feb 2020. We did read 10 CFR 2.802 and expressly included applicable language from the regulation in our initial petition filed in April 2019. We tell you that only to say that we take this seriously do not wish to disrespect you by being unprepared. We accept and appreciate your constructive criticism and will resubmit our petition to comply in the ways you require. We truly appreciate your expertise and the consultation by which we can shape our petition to give you what you need. We were in the process of collecting the extensive IAEA and World Nuclear Association technical and engineering documentation on nuclear power/heat cogeneration projects undertaken in all of the other nuclear nations. As you know, heat exchanger installation to recover nuclear waste heat is safe and widely practiced throughout the world. We will submit that technical material with our next petition in an effort to have the U.S. join the rest of the world in harvesting and utilizing nuclear waste heat.

Today we read the NRC Advanced Reactors Program Status Report dated 14 Feb 20. We applaud the NRC's efforts to promote construction of the next generation advanced reactors. Nuclear experts tell us the major obstacles to building Generation IV small modular molten salt liquid fuel breeder burner reactors are less the closed fuel cycle and more the regulatory uncertainty and economics. It was suggested that constructing Generation IV advanced reactors at or near the sites of current reactors would greatly reduce costs and significantly advance the NRC objectives of bringing Gen IV reactors to fruition. It was also suggested that monetizing waste heat from existing U.S. nuclear plants would stave off the massive number of premature nuclear retirements coming in the mid-2020's. Thus our petition for Standard Design Certifications for installation of heat exchangers on current U.S. nuclear reactors.

Thanks again for your kind assistance in these matters. We will go back to work to upgrade our petition as you requested.

Sincerely,  
Michael D. Lorton, M.D, J.D, MBA

Sent from my iPhone

On Feb 27, 2020, at 6:55 PM, Bladey, Cindy <[Cindy.Bladey@nrc.gov](mailto:Cindy.Bladey@nrc.gov)> wrote:

Good afternoon Mr. Lorton,

Ms. Clark's letter of February 14, 2020 (copy attached), stated that the NRC has determined that your April 2020 request does not include the information we would need to docket your submittal as a petition for rulemaking. The letter also explained how your submittal does not meet the NRC's criteria for a

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petition for rulemaking under 10 CFR 2.802(c). At this point, the NRC will take no additional action, so I am returning your memorandum dated February 19, 2020. However, in accordance with NRC's regulations at 10 CFR 2.803(b)(3), you may resubmit the petition for rulemaking without prejudice.

If you intend to resubmit your petition, please review the [NRC's regulations at 10 CFR 2.802\(a\), "Petition for Rulemaking—Requirements for Filing"](#) You must address and mail your petition to:

**Secretary, Attention: Rulemakings and Adjudications Staff  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555-0001**

Or you can email the petition to [Rulemaking.Comments@nrc.gov](mailto:Rulemaking.Comments@nrc.gov)

You can find more information on how to submit a petition for rulemaking on the NRC's public Web site at <https://www.nrc.gov/about-nrc/regulatory/rulemaking/petition-rule.html>.

If you have any questions concerning the petition process feel free to contact me at 301-415-3280 (e-mail: [Cindy.Bladey@nrc.gov](mailto:Cindy.Bladey@nrc.gov)).

Sincerely,  
Cindy

Cindy Bladey, Chief  
Regulatory Analysis and Rulemaking Support Branch  
U.S. Nuclear Regulatory Commission  
Division of Rulemaking, Environmental, and Financial Support  
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11545 Rockville Pike  
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**From:** Michael Lorton <mdlorton@umich.edu>

**Sent:** Thursday, February 20, 2020 1:12 PM

**To:** Bladey, Cindy <Cindy.Bladey@nrc.gov>; Chang, Helen <Helen.Chang@nrc.gov>; Michael Lorton <mdlorton@umich.edu>

**Subject:** [External\_Sender] Section 2.802 Rulemaking Petition

Dear Dr. Chang and Ms. Bladey:

Attached please find a brief memorandum in support of our rulemaking petition. We appreciate your recent letter. You provided us with very useful feedback. We realize that the NRC may choose not to initiate the requested rulemaking at this time, but we also understand that we may revisit this in the future if social, political, and technical developments make this issue more pressing.

We know you are very busy, and we have tried to technically knowledgeable out of respect for your time and attention. For the reasons set out in the memo, we believe Standard Design Certification rules would significantly assist the NRC's own efforts to advance Generation IV nuclear reactor technology and implementation.

Again, we thank you for your kind attention to this issue. You have been very gracious as have the people at USEPA.

Sincerely,

Michael D. Lorton, M.D., J.D., MBA

[infor@alagnis.com](mailto:infor@alagnis.com)

419-297-2943

<Insufficiency Letter to Petitioner - MLorton Petition for  
Rulemaking\_20200214.pdf>

<NRC2.802RuleMakingPetitionLtr19Feb20.docx>