

From: [Fields, Nicole](#)
To: [gberka57](#)
Cc: [Berrios, Ilka](#); [Rulemaking Resource](#)
Subject: Response to Inquiry: Petition for Rulemaking, "Criteria to Return Retired Nuclear Power Reactors to Operations"
Date: Wednesday, June 17, 2020 3:43:00 PM

Dear Mr. Berka,

This email is in response to your question about the timeline for a determination on a petition. 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.

With respect to your specific petition, the comment period has closed and a related public meeting on "Potential Regulatory Frameworks for Power Reactors" was held by NRC staff. The NRC staff will review the merits of the petition and the public comments and input that we have received. The staff will 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.

For more detailed information on the petition for rulemaking process, please refer to <https://www.nrc.gov/about-nrc/regulatory/rulemaking/petition-rule.html>, and "The Petition for Rulemaking Process," Figure 1 (80 FR 60524; October 7, 2015) – ADAMS Accession No. [ML14259A474](#).

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

Sincerely,
Nicole Fields

From: gberka57 <gberka57@comcast.net>
Sent: Monday, June 15, 2020 5:38 PM
To: Fields, Nicole <Nicole.Fields@nrc.gov>
Cc: Berrios, Ilka <Ilka.Berrios@nrc.gov>; Rulemaking Resource <Rulemaking.Resource@nrc.gov>
Subject: [External_Sender] Re: Petition for Rulemaking, "Criteria to Return Retired Nuclear Power Reactors to Operations" Status

Do you know about how long it takes for a determination to be made?

Sent from my TCL LX

On Jun 15, 2020 6:25 PM, "Fields, Nicole" <Nicole.Fields@nrc.gov> wrote:

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).

On February 25, 2020, the NRC staff held a public meeting on "Potential Regulatory Frameworks for Power Reactors." The NRC staff received input from members of the public during this meeting, and input from this meeting may be used by the NRC to inform its determination regarding PRM-50-117.

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 or 630-829-9570 if you have any additional questions.

Sincerely,
Nicole Fields

From: GEORGE BERKA <gberka57@comcast.net>

Sent: Monday, June 15, 2020 8:00 AM

To: Fields, Nicole <Nicole.Fields@nrc.gov>

Subject: [External_Sender] RE: RE: Meeting Regarding Frameworks for Power Reactors

Good Morning Ms. Fields,

Have there been any updates on this petition? One possibility was that it may be selected for further study, and receive a \$2.4 million budget. Do you know if anything like that might take place?

Thank you,
-George

On March 6, 2020 at 11:21 AM "Fields, Nicole" <Nicole.Fields@nrc.gov> wrote:

Dear Mr. Berka,

Thank you for your participation in the public meeting on February 25 on Potential Regulatory Frameworks for Power Reactors. The NRC is not requesting written comments at this time.

The comment period for your petition (PRM-50-117; Docket ID NRC-2019-0063) closed on October 9, 2019. As noted in the Federal Register Notice ([84 FR 36036](#)) docketing your petition and requesting public comment, comments received after the close of the public comment period will be considered if it is practical to do so, but the NRC is able to assure consideration only for comments received on or before October 9, 2019. Please see the Federal Register Notice for comment submittal instructions, and note that since the comment period has closed, comments can no longer be submitted through [regulations.gov](#).

Thank you for your interest in the petition for rulemaking process.

Please feel free to contact me at 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

On rotation to NMSS/REFS/MRPB

630-829-9570

From: GEORGE BERKA <gberka57@comcast.net>

Sent: Wednesday, February 26, 2020 6:44 AM

To: Fields, Nicole <Nicole.Fields@nrc.gov>

Subject: [External_Sender] RE: Meeting Regarding Frameworks for Power Reactors

Hello Ms. Fields,

If I knew of anyone else who wished to submit comments on this initiative,
who should they send them to?

Thank you,

-George