

From: [Bladey, Cindy](#)
To: [Love Blair, Angella](#)
Cc: [Barczy, Theresa](#); [Shepherd, Jill](#); [Terry, Leslie](#)
Subject: FW: C-10 Foundation's 2.802 Petition for Rulemaking to the NRC
Date: Monday, September 29, 2014 10:04:09 AM
Attachments: [Scan0009.pdf](#)
[Seabrook ASR Petition for Rulemaking-2.docx](#)

Note: The petition is publicly available in ADAMS as ML14281A124.

New PRM, as mentioned. I'll send to the offices for docketing review shortly.

From: Debbie Grinnell [mailto:debbie@c-10.org]
Sent: Thursday, September 25, 2014 9:54 AM
To: RulemakingComments Resource
Subject: C-10 Foundation's 2.802 Petition for Rulemaking to the NRC

Hello Ms. Vietti-Cook:

Please find the C-10 letter and our 2.802 Petition for Rulemaking attached for submission to your office. Would you please be so kind as to confirm that you received them.

Sincerely,

Debbie

Debbie Grinnell

Research Manager

C-10 Foundation

44 Merrimac Street

Newburyport, Ma. 01950

Debbie@C-10.org

Tel. 978-465-6646

From: Mizuno, Geary
Sent: Monday, September 29, 2014 11:56 AM
To: Bladey, Cindy; Jones, Bradley; Safford, Carrie; OGCMailCenter Resource; Inverso, Tara
Cc: Barczy, Theresa; Love Blair, Angella; Terry, Leslie; Shepherd, Jill; Colaccino, Joseph
Subject: RE: ACTION: Sufficiency Determination for Petition for Rulemaking submitted by C-10 Foundation

Cindy:

(b)(5)

OGC Mailroom, as this is a reactor PRM, this may be assigned to RMR only; OGC's Division of HLW need not be added to the ticket unless Carrie Safford asks to be added.

Geary

From: Bladey, Cindy
Sent: Monday, September 29, 2014 11:45 AM
To: Jones, Bradley; Safford, Carrie; OGCMailCenter Resource; Inverso, Tara
Cc: Barczy, Theresa; Love-Blair, Angella; Terry, Leslie; Shepherd, Jill; Mizuno, Geary; Colaccino, Joseph
Subject: ACTION: Sufficiency Determination for Petition for Rulemaking submitted by C-10 Foundation

NRR and OGC:

I am requesting your view on whether the attached PRM from Sandra Gavutis, Executive Director of the C-10 Foundation, is sufficient for docketing under 10 CFR 2.802. Please respond by COB Monday, October 6.

Thanks, Cindy

Cindy Bladey, Chief
Rules, Announcements, and Directives Branch
3WFN 06-B02
301-287-0949
cindy.bladey@nrc.gov

From: RulemakingComments Resource
Sent: Friday, September 26, 2014 8:22 AM
To: RidsEdoMailCenter Resource
Cc: Bladey, Cindy; Giitter, Rebecca; Julian, Emile; Newell, Brian; RulemakingComments Resource; Sola, Clara; Vietti-Cook, Annette
Subject: EDO ACTION ITEM: FW: C-10 Foundation's 2.802 Petition for Rulemaking to the NRC

Attached is a petition for rulemaking submitted by Sandra Gavutis on behalf of the C-10 Foundation regarding revision to applicable regulations to:

1) Require that all licensees comply with ACI 349.3R

2) Require that all licensees comply with ASTM C 856-11, Standard Practice for Petrographic Examination of Hardened Concrete.

ACTION OFFICE: EDO ACTION: APPROPRIATE

SECY did confirm receipt of the petition, as requested in the email.

Thank you.

Herald

Herald M. Speiser
Rulemakings and Adjudications Staff
Office of the Secretary
Nuclear Regulatory Commission
(301) 415-1675

From: Bladey, Cindy
Sent: Friday, October 03, 2014 10:53 AM
To: Love Blair, Angella
Subject: FW: ACTION: Sufficiency Determination for Petition for Rulemaking submitted by C-10 Foundation
Attachments: KRATCHMAN 09 2014 SUFFICIENCY REVIEW ASR concrete PRM rev1.docx

Attached, sorry.

From: Inverso, Tara
Sent: Thursday, October 02, 2014 12:33 PM
To: Bladey, Cindy
Cc: Colaccino, Joseph; Mizuno, Geary; Kratchman, Jessica; Mohseni, Aby
Subject: RE: ACTION: Sufficiency Determination for Petition for Rulemaking submitted by C-10 Foundation

Good afternoon, Cindy,

PRMB concludes that C-10's petition is sufficient for docketing. Please see attached for the very thorough rationale that Jessica Kratchman provided.

Thank you,
Tara

From: Bladey, Cindy
Sent: Monday, September 29, 2014 11:45 AM
To: Jones, Bradley; Safford, Carrie; OGCMailCenter Resource; Inverso, Tara
Cc: Barczy, Theresa; Love-Blair, Angella; Terry, Leslie; Shepherd, Jill; Mizuno, Geary; Colaccino, Joseph
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cindy.bladey@nrc.gov

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ACTION OFFICE: EDO ACTION: APPROPRIATE

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Thank you.

Herald

*Herald M. Speiser
Rulemakings and Adjudications Staff
Office of the Secretary
Nuclear Regulatory Commission
(301) 415-1675*

SUFFICIENCY REVIEW: Seabrook ASR concrete degradation PRM submitted pursuant to 10 CFR 2.802 on 09/25/2014

PETITIONER: The C-10 Research and Education Foundation (C-10); assistance from Union of Concerned Scientists

NRC REVIEWERS: Jessica Kratchman, PM, NRR/ DPR; technical support from Timothy Lupold, Branch Chief, NRR/ DE

STATUS: PRM meets the sufficiency criteria for docketing under 10 CFR 2.802. The below table summarizes the review.

10CFR 2.802(c): PRM Criteria

<p>(1) <i>Set forth a general solution to the problem or the substance or text of any proposed regulation or amendment, or specify the regulation which is to be revoked or amended;</i></p>	<p>The petitioner requests that the U.S. Nuclear Regulatory Commission (NRC) amend its regulations to provide better protection against concrete degradation at U.S. nuclear power plants. C-10 suggests that the reliance on a visual inspection does not “adequately identify Alkali-Silica Reaction (ASR), does not confirm ASR, or provide the current state of ASR damage (if present) without petrographic analysis under current existing code”.</p> <p>The general solution proposed by the petitioner is to revise applicable regulations to:</p> <ol style="list-style-type: none"> 1. Require all licensees comply with ACI Standard 349.3R, <i>Evaluation of Existing Nuclear Safety-Related Concrete Structures</i>. 2. Require all licensees comply with ASTM C 856-11, <i>Standard Practice for Petrographic Examination of Hardened Concrete</i>.
<p>(2) <i>State clearly and concisely the petitioner's grounds for and interest in the action requested;</i></p>	<p>C-10 addresses health and safety issues related to the Seabrook Station. C-10 evolved from <i>Citizens Within the Ten-Mile Radius</i>, a 5,000 member organization founded in 1986 to challenge evacuation plans for the Seabrook Station. C-10 has been engaging the NRC about concrete degradation at Seabrook since 12/22/2011.</p>
<p>(3) <i>Include a statement in support of the petition which shall set forth the specific issues involved, the petitioner's views or arguments with respect to those issues, relevant technical, scientific or other data involved which is reasonably available to the petitioner, and such other pertinent information as the petitioner deems necessary to support the action sought. In support of its petition, petitioner should note any specific cases of which petitioner is aware where the current rule is unduly burdensome, deficient, or needs to be strengthened.</i></p>	<p>NRC public meeting at Seabrook Station on 06/24/2014, C-10 asked if the NRC was investigating the US nuclear fleet for ASR concrete degradation. The NRC staff responded that ASR concrete degradation could be adequately indicated through visual examination.</p> <p>However, NRC position paper, <i>In situ Monitoring of ASR-affected Concrete</i>, November 2012, states “ASR can exist in concrete without indications of pattern cracking,” and that for “... structures exposed to ASR, internal damage occurs through the depth of the section but visible cracking is suppressed by heavy reinforcement...”</p> <p>When NextEra determined 131 locations with “assumed” ASR visual signs within multiple power-block structures at Seabrook Station during 2012, further engineering evaluations were not required by NRC.</p> <p>Codes and standards exist that are capable of detecting ASR and determining the key material properties needed to evaluate the degree and severity of ASR damage. ACI Standard 349.3R02, for instance, has been endorsed by the NRC (ADAMS ML112241029) as an acceptable method of protecting against excessive ASR concrete degradation but is not a requirement.</p>

From: Kratchman, Jessica
Sent: Friday, October 03, 2014 10:56 AM
To: Bladey, Cindy
Cc: Kratchman, Jessica; Mizuno, Geary; Inverso, Tara; Colaccino, Joseph; Mohseni, Aby; Beall, Robert; Jones, Bradley; Biggins, James; Love Blair, Angella; Terry, Leslie; Barczy, Theresa
Subject: RE: ACTION: Sufficiency Determination for Petition for Rulemaking submitted by C-10 Foundation (OGC Ticket 2014-3965)

Thanks Cindy. Yes please do send to me for input before you seek concurrence review. That will give me time consider the comment process as you described it.

On Friday, October 3, 2014 at 10:47:11 AM, "Bladey, Cindy" <Cindy.Bladey@nrc.gov> wrote:

Jessica, ADM will draft the NOR to include a comment request, but I suggest technical staff consider formulating a few questions to include in the notice. The intent is not to restrict the scope of the petition open for comment. Rather, staff (and the public) may find it useful if we include questions that direct public comment toward those particular areas where focused discussion and directed comment responses can assist staff to disposition the petition. If you agree with this approach, but need some time to develop questions, ADM will send you the notice for your input before we send for concurrence review. Thanks, Cindy

From: Kratchman, Jessica
Sent: Friday, October 03, 2014 8:42 AM
To: Mizuno, Geary; Bladey, Cindy; Inverso, Tara
Cc: Colaccino, Joseph; Mohseni, Aby; Beall, Robert; Jones, Bradley; Biggins, James
Subject: RE: ACTION: Sufficiency Determination for Petition for Rulemaking submitted by C-10 Foundation (OGC Ticket 2014-3965)
Importance: High

Cindy,

(b)(5)

Thanks.

-Jessie

From: Mizuno, Geary
Sent: Thursday, October 02, 2014 3:05 PM
To: Bladey, Cindy; Kratchman, Jessica; Inverso, Tara
Cc: Colaccino, Joseph; Mohseni, Aby; Beall, Robert; Jones, Bradley; Biggins, James
Subject: RE: ACTION: Sufficiency Determination for Petition for Rulemaking submitted by C-10 Foundation (OGC Ticket 2014-3965)

Cindy:

Geary

From: Bladey, Cindy
Sent: Thursday, October 02, 2014 1:25 PM
To: Kratchman, Jessica; Mizuno, Geary; Inverso, Tara
Cc: Colaccino, Joseph; Mohseni, Aby; Beall, Robert
Subject: RE: ACTION: Sufficiency Determination for Petition for Rulemaking submitted by C-10 Foundation

Thanks Jessica. I included NRO on cc for information only at this point. RES is not a rulemaking office, and so normally does not participate in sufficiency determinations.

From: Kratchman, Jessica
Sent: Thursday, October 02, 2014 1:23 PM
To: Mizuno, Geary; Bladey, Cindy; Inverso, Tara
Cc: Colaccino, Joseph; Mohseni, Aby; Beall, Robert
Subject: RE: ACTION: Sufficiency Determination for Petition for Rulemaking submitted by C-10 Foundation

RES and NRO will weigh-in when we establish a working group. For now I consulted technical staff only to the extent necessary to aid in establishing enough understanding to make a cursory determination.

-Jessie

From: Mizuno, Geary
Sent: Thursday, October 02, 2014 1:18 PM
To: Bladey, Cindy; Inverso, Tara
Cc: Colaccino, Joseph; Kratchman, Jessica; Mohseni, Aby
Subject: RE: ACTION: Sufficiency Determination for Petition for Rulemaking submitted by C-10 Foundation

Did we hear from NRO? Is RES also supposed to weigh in (or are they typically excluded?)

From: Bladey, Cindy
Sent: Thursday, October 02, 2014 1:15 PM
To: Inverso, Tara
Cc: Colaccino, Joseph; Mizuno, Geary; Kratchman, Jessica; Mohseni, Aby
Subject: RE: ACTION: Sufficiency Determination for Petition for Rulemaking submitted by C-10 Foundation

Thanks, very nice assessment.

Geary and Tara,
barring any objections, I plan to docket this PRM later today, and have my staff draft a notice of receipt that requests public comment on the petition. Please let me know if you have any objections or concerns with this approach, and/or any specific questions you would like to have included in the NOR.

Cindy

From: Inverso, Tara
Sent: Thursday, October 02, 2014 12:33 PM
To: Bladey, Cindy
Cc: Colaccino, Joseph; Mizuno, Geary; Kratchman, Jessica; Mohseni, Aby
Subject: RE: ACTION: Sufficiency Determination for Petition for Rulemaking submitted by C-10 Foundation

Good afternoon, Cindy,

PRMB concludes that C-10's petition is sufficient for docketing. Please see attached for the very thorough rationale that Jessica Kratchman provided.

Thank you,
Tara

From: Bladey, Cindy
Sent: Monday, September 29, 2014 11:45 AM
To: Jones, Bradley; Safford, Carrie; OGCMailCenter Resource; Inverso, Tara
Cc: Barczy, Theresa; Love-Blair, Angella; Terry, Leslie; Shepherd, Jill; Mizuno, Geary; Colaccino, Joseph
Subject: ACTION: Sufficiency Determination for Petition for Rulemaking submitted by C-10 Foundation

NRR and OGC:

I am requesting your view on whether the attached PRM from Sandra Gavutis, Executive Director of the C-10 Foundation, is sufficient for docketing under 10 CFR 2.802. Please respond by COB Monday, October 6.

Thanks, Cindy

Cindy Bladey, Chief
Rules, Announcements, and Directives Branch
3WFN 06-B02
301-287-0949
cindy.bladey@nrc.gov

From: RulemakingComments Resource
Sent: Friday, September 26, 2014 8:22 AM
To: RidsEdoMailCenter Resource
Cc: Bladey, Cindy; Gliitter, Rebecca; Julian, Emile; Newell, Brian; RulemakingComments Resource; Sola, Clara; Vietti-Cook, Annette
Subject: EDO ACTION ITEM: FW: C-10 Foundation's 2.802 Petition for Rulemaking to the NRC

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- 1) Require that all licensees comply with ACI 349.3R
- 2) Require that all licensees comply with ASTM C 856-11, Standard Practice for Petrographic Examination of Hardened Concrete.

ACTION OFFICE: EDO ACTION: APPROPRIATE

SECY did confirm receipt of the petition, as requested in the email.

Thank you.

Herald

Herald M. Speiser

Rulemakings and Adjudications Staff

Office of the Secretary

Nuclear Regulatory Commission

(301) 415-1675

From: Mizuno, Geary
Sent: Friday, October 03, 2014 10:58 AM
To: Bladey, Cindy; Kratchman, Jessica; Inverso, Tara
Cc: Colaccino, Joseph; Mohseni, Aby; Beall, Robert; Jones, Bradley; Biggins, James; Love Blair, Angella; Terry, Leslie; Barczy, Theresa
Subject: RE: ACTION: Sufficiency Determination for Petition for Rulemaking submitted by C-10 Foundation (OGC Ticket 2014-3965)

Colleagues:

(b)(5)

Geary

From: Bladey, Cindy
Sent: Friday, October 03, 2014 10:47 AM
To: Kratchman, Jessica; Mizuno, Geary; Inverso, Tara
Cc: Colaccino, Joseph; Mohseni, Aby; Beall, Robert; Jones, Bradley; Biggins, James; Love-Blair, Angella; Terry, Leslie; Barczy, Theresa
Subject: RE: ACTION: Sufficiency Determination for Petition for Rulemaking submitted by C-10 Foundation (OGC Ticket 2014-3965)

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To: Mizuno, Geary; Bladey, Cindy; Inverso, Tara
Cc: Colaccino, Joseph; Mohseni, Aby; Beall, Robert; Jones, Bradley; Biggins, James
Subject: RE: ACTION: Sufficiency Determination for Petition for Rulemaking submitted by C-10 Foundation (OGC Ticket 2014-3965)
Importance: High

Cindy,

(b)(5)

(b)(5)

Thanks.

-Jessie

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To: Bladey, Cindy; Kratchman, Jessica; Inverso, Tara

Cc: Colaccino, Joseph; Mohseni, Aby; Beall, Robert; Jones, Bradley; Biggins, James

Subject: RE: ACTION: Sufficiency Determination for Petition for Rulemaking submitted by C-10 Foundation (OGC Ticket 2014-3965)

Cindy:

(b)(5)

Geary

From: Bladey, Cindy

Sent: Thursday, October 02, 2014 1:25 PM

To: Kratchman, Jessica; Mizuno, Geary; Inverso, Tara

Cc: Colaccino, Joseph; Mohseni, Aby; Beall, Robert

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Cc: Colaccino, Joseph; Mohseni, Aby; Beall, Robert

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1) Require that all licensees comply with ACI 349.3R

2) Require that all licensees comply with ASTM C 856-11, Standard Practice for Petrographic Examination of Hardened Concrete.

ACTION OFFICE: EDO ACTION: APPROPRIATE

SECY did confirm receipt of the petition, as requested in the email.

Thank you.

Herald

Herald M. Speiser

Rulemakings and Adjudications Staff

Office of the Secretary

Nuclear Regulatory Commission

(301) 415-1675

From: [Bladey, Cindy](#)
To: [RulemakingComments Resource](#); [RidsEdoMailCenter Resource](#)
Cc: [Giitter, Rebecca](#); [Julian, Emile](#); [Newell, Brian](#); [Sola, Clara](#); [Vietti-Cook, Annette](#); [Love Blair, Angella](#); [Barczy, Theresa](#); [Terry, Leslie](#); [Kratchman, Jessica](#); [Mizuno, Geary](#); [Jones, Bradley](#); [Biggins, James](#); [Beall, Robert](#); [Colaccino, Joseph](#); [Inverso, Tara](#); [Mohseni, Aby](#)
Subject: RE: EDO ACTION ITEM: FW: C-10 Foundation's 2.802 Petition for Rulemaking to the NRC
Date: Friday, October 03, 2014 11:00:30 AM
Attachments: [C-10 Foundation's 2.802 Petition for Rulemaking to the NRC.msg](#)

Note: The attached email message is the first record in this section.

SECY:

ADM has consulted with OGC and technical staff. Please docket the subject petition as PRM-50-109.

Thanks, Cindy

From: RulemakingComments Resource
Sent: Friday, September 26, 2014 8:22 AM
To: RidsEdoMailCenter Resource
Cc: Bladey, Cindy; Giitter, Rebecca; Julian, Emile; Newell, Brian; RulemakingComments Resource; Sola, Clara; Vietti-Cook, Annette
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ACTION OFFICE: **EDO** ACTION: **APPROPRIATE**

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Thank you.

Herald

Herald M. Speiser

Rulemakings and Adjudications Staff

Office of the Secretary

Nuclear Regulatory Commission

(301) 415-1675

From: Bladey, Cindy
Sent: Wednesday, October 08, 2014 3:25 PM
To: RulemakingComments Resource; Love Blair, Angella; Terry, Leslie; Barczy, Theresa
Cc: Giitter, Rebecca; Julian, Emile; Sola, Clara
Subject: RE: PRM-50-109 - Better Protection Against Concrete Degradation at Nuclear Power Plants

Thank you.

From: RulemakingComments Resource
Sent: Wednesday, October 08, 2014 3:25 PM
To: Bladey, Cindy
Cc: RulemakingComments Resource; Giitter, Rebecca; Julian, Emile; Sola, Clara
Subject: PRM-50-109 - Better Protection Against Concrete Degradation at Nuclear Power Plants

Cindy,

The following petition has been docketed and a folder for PRM-50-109 has been created in ADAMS under the "ELECTRONIC RULEMAKING COMMENTS" folder.

[View ADAMS P8 Properties ML14281A124](#)

[Open ADAMS P8 Document \(PRM-50-109 - Petition for Rulemaking Submitted by Sandra Gavutis, Executive Director of C-10 Foundation, Regarding Better Protection Against Concrete Degradation at Nuclear Power Plants. \)](#)

*Clara (Rica) Sola
Rulemakings and Adjudications Staff
Office of the Secretary*

From: Bladey, Cindy
Sent: Friday, October 03, 2014 11:00 AM
To: RulemakingComments Resource; RidsEdoMailCenter Resource
Cc: Giitter, Rebecca; Julian, Emile; Newell, Brian; Sola, Clara; Vietti-Cook, Annette; Love-Blair, Angella; Barczy, Theresa; Terry, Leslie; Kratchman, Jessica; Mizuno, Geary; Jones, Bradley; Biggins, James; Beall, Robert; Colaccino, Joseph; Inverso, Tara; Mohseni, Aby
Subject: RE: EDO ACTION ITEM: FW: C-10 Foundation's 2.802 Petition for Rulemaking to the NRC

SECY:
ADM has consulted with OGC and technical staff. Please docket the subject petition as PRM-50-109.
Thanks, Cindy

From: RulemakingComments Resource
Sent: Friday, September 26, 2014 8:22 AM
To: RidsEdoMailCenter Resource
Cc: Bladey, Cindy; Giitter, Rebecca; Julian, Emile; Newell, Brian; RulemakingComments Resource; Sola, Clara; Vietti-Cook, Annette
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ACTION OFFICE: EDO ACTION: APPROPRIATE

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Thank you.

Herald

Herald M. Speiser
Rulemakings and Adjudications Staff
Office of the Secretary
Nuclear Regulatory Commission
(301) 415-1675

From: Bladey, Cindy
Sent: Friday, October 31, 2014 5:53 PM
To: Love Blair, Angella; Barczy, Theresa
Subject: Re: INPUT: NOR questions, ASR Concrete Degradation (PRM 50-109)

Sounds good. Please record your time for this activity in HRMS. I will approve CHE for Sat (only), COMP or OT Sun.

From: Love-Blair, Angella
Sent: Friday, October 31, 2014 05:48 PM
To: Bladey, Cindy; Barczy, Theresa
Subject: RE: INPUT: NOR questions, ASR Concrete Degradation (PRM 50-109)

I'm sorry. I've allowed myself to be pulled into other projects. I will write it this weekend and send it out for concurrence Monday. I will copy you both.

From: Bladey, Cindy
Sent: Friday, October 31, 2014 1:44 PM
To: Barczy, Theresa; Love-Blair, Angella
Subject: Fw: INPUT: NOR questions, ASR Concrete Degradation (PRM 50-109)

?

From: Kratchman, Jessica
Sent: Friday, October 31, 2014 01:25 PM
To: Bladey, Cindy
Subject: RE: INPUT: NOR questions, ASR Concrete Degradation (PRM 50-109)
Hi Cindy,

Any news on this PRM?

Thanks so much.

-Jessie

From: Kratchman, Jessica
Sent: Monday, October 27, 2014 9:19 AM
To: Bladey, Cindy
Subject: RE: INPUT: NOR questions, ASR Concrete Degradation (PRM 50-109)

Cindy- Just checking on the status of PRM 50-109.

Thanks.

-Jessie

From: Bladey, Cindy
Sent: Thursday, October 16, 2014 10:42 AM
To: Kratchman, Jessica
Cc: Beall, Robert; Mizuno, Geary; Inverso, Tara; Love-Blair, Angella; Barczy, Theresa
Subject: RE: INPUT: NOR questions, ASR Concrete Degradation (PRM 50-109)

Thanks Jessica. We'll be sending out the draft FRN for review and concurrence next week.
Cindy

From: Kratchman, Jessica
Sent: Thursday, October 16, 2014 9:44 AM
To: Bladey, Cindy
Cc: Beall, Robert; Mizuno, Geary; Inverso, Tara
Subject: FW: INPUT: NOR questions, ASR Concrete Degradation (PRM 50-109)

Cindy,

I have provided staff with a little over a week to develop questions to include with the NOR for PRM 50-109. I have received no feedback so, as I informed staff would be the case, please proceed with issuing the FRN for this issue without questions. We in DPR still believe this issue should be available for public comment given the high visibility and public interest of the topic.

Thanks. And please let me know if you need anything or I can help in any way.

-Jessie

Jessica Kratchman, candidate DrPH

Division of Policy and Rulemaking
Office of Nuclear Reactor Regulations
U.S. Nuclear Regulatory Commission
301-415-5112

From: Kratchman, Jessica
Sent: Tuesday, October 07, 2014 11:40 AM
To: Burke, John; Gray, Mel; Lupold, Timothy
Cc: Beall, Robert; Inverso, Tara; Bladey, Cindy; Mizuno, Geary
Subject: RE: INPUT: NOR questions, ASR Concrete Degradation (PRM 50-109)

One more note: I included two questions at the bottom of my email as an example of questions provided in an NOR. Those included below were developed by Bob Beall, senior DPR PM, for use with the Cyber Security Rule. Hopefully that will help.

-Jessie

From: Kratchman, Jessica
Sent: Tuesday, October 07, 2014 11:38 AM
To: Burke, John; Gray, Mel; Lupold, Timothy
Cc: Beall, Robert; Inverso, Tara; Bladey, Cindy; Mizuno, Geary
Subject: INPUT: NOR questions, ASR Concrete Degradation (PRM 50-109)

John, Mel and Tim,

I am a PM in NRR/ DPR. We recently received the attached *Petition for Rulemaking* under 10 CFR 2.802 with regards to the sufficiency of visual inspections in determining concrete degradation from alkali-silica reactions (ASR). The petitioner asserts that visual inspections do not adequately identify ASR or provide a sufficient damage assessment. They propose that the NRC revise current regulation to require compliance with ACI 349.3R and ASTM 856-11. On 10/02 DPR and OGC agreed that this PRM meets the minimum requirements for processing. As such this PRM has been docketed by SECY as

PRM 50-109. Please note that docketing a PRM does not confirm to the technical viability of an argument; it merely means the PRM meets the requirements of 10 CFR 2.802 to move forward in the process.

I am reaching out to you on this matter to help develop basic questions that can be included with the Notice for Rulemaking (NOR). These questions should help focus stakeholder comment submissions. Note that most rulemakings do not have questions associated with the NOR, so only develop questions if you believe that this issue requires them. Also note that this issue is not specific to Seabrook; the PRM was raised as a generic issue, citing Seabrook as its main example.

Please let me know if you have questions. I would appreciate your feedback by Wednesday COB (10/14). If I do not receive feedback from you I will assume questions were deemed unnecessary for this NOR. Please report your time using TAC: MF4971. And finally- if I have left out a key technical contributor please let me know, however please use your discretion at this step because we will develop a more comprehensive working group later in the process.

Thanks.

-Jessie

Jessica Kratchman, candidate DrPH
Division of Policy and Rulemaking
Office of Nuclear Reactor Regulations
U.S. Nuclear Regulatory Commission
301-415-5112

- 1) Please indicate the inadequacies in the NRC's current regulatory approach and framework (i.e., cyber security rule (10 CFR §73.54 and Regulatory Guide 5.71, "Cyber Security Programs for Nuclear Facilities" (ADAMS Accession No. ML090340159))) that would be remedied by the proposed rulemaking. Specifically, what cyber threat or vulnerability is not addressed by the current NRC regulations and guidance?
- 2) Have one of the PLCs with the proposed write-once, read-many (WORM) media been installed in any operating facility (nuclear or non-nuclear)? Are these PLCs alone sufficient to protect against cyber threats? What other cyber controls may be required at nuclear power plants if a PLC with the patented WORM media was installed?

Jessica Kratchman, candidate DrPH
Division of Policy and Rulemaking
Office of Nuclear Reactor Regulations
U.S. Nuclear Regulatory Commission
301-415-5112

From: Kratchman, Jessica
Sent: Thursday, November 06, 2014 4:25 PM
To: Love Blair, Angella; RidsNrrDpr Resource; OGCMailCenter Resource
Cc: Barczy, Theresa; Bladey, Cindy; Inverso, Tara; Philip, Jacob
Subject: RE: CONCURRENCE REQUESTED BY NOVEMBER 19, 2014 - NOTICE OF RECEIPT AND REQUEST FOR COMMENTS ON PRM-50-109

(b)(5)

-Jessie

Jessica Kratchman, candidate DrPH

Division of Policy and Rulemaking
Office of Nuclear Reactor Regulations
U.S. Nuclear Regulatory Commission
301-415-5112

From: Love-Blair, Angella
Sent: Tuesday, November 04, 2014 6:47 PM
To: RidsNrrDpr Resource; OGCMailCenter Resource
Cc: Barczy, Theresa; Bladey, Cindy; Kratchman, Jessica; Inverso, Tara
Subject: CONCURRENCE REQUESTED BY NOVEMBER 19, 2014 - NOTICE OF RECEIPT AND REQUEST FOR COMMENTS ON PRM-50-109

Attached for your review and concurrence is the notice of receipt and request for comments on PRM-50-109, Better Protection against Concrete Degradation at Nuclear Power Plants. I have also attached the incoming petition for your convenience.

Please let me know if you have any questions or concerns.

Angella

From: Mohseni, Aby
Sent: Wednesday, November 12, 2014 9:40 AM
To: Love Blair, Angella
Cc: Inverso, Tara; Kratchman, Jessica; Kokajko, Lawrence
Subject: FW: Please Provide Concurrence: CONCURRENCE REQUESTED BY NOVEMBER 19, 2014 - NOTICE OF RECEIPT AND REQUEST FOR COMMENTS ON PRM-50-109
Attachments: C-10 Petition - Notice of Docketing and Request for Comments.docx; PRM-50-109.pdf

Angella,

Note: The first attachment, a 6-page draft of the FR notice, is withheld in its entirety under FOIA exemption 5. The second attachment is another copy of the petition.

NRR concurs with the FRN with the following comments.

(b)(5)

Thank you for the opportunity to review and comment,
Aby Mohseni, Deputy Director, DPR/NRR

From: Mizuno, Geary
Sent: Wednesday, November 12, 2014 1:23 PM
To: Love Blair, Angella
Cc: Kratchman, Jessica
Subject: RE: Comments on Notice of Docketing for PRM-50-109, Concrete degradation (OGC Ticket 14-4602)

(b)(5)

Geary

From: Love-Blair, Angella
Sent: Wednesday, November 12, 2014 10:41 AM
To: Mizuno, Geary
Cc: Kratchman, Jessica
Subject: RE: Comments on Notice of Docketing for PRM-50-109, Concrete degradation (OGC Ticket 14-4602)

Geary,

(b)(5)

Angella

From: Mizuno, Geary
Sent: Thursday, November 06, 2014 2:52 PM
To: Kratchman, Jessica; Love-Blair, Angella
Cc: Biggins, James; Jones, Bradley; Beall, Robert
Subject: RE: Comments on Notice of Docketing for PRM-50-109, Concrete degradation (OGC Ticket 14-4602)

(b)(5)

Geary

From: Kratchman, Jessica
Sent: Thursday, November 06, 2014 2:46 PM
To: Mizuno, Geary; Love-Blair, Angella
Cc: Biggins, James; Jones, Bradley; Beall, Robert
Subject: RE: Comments on Notice of Docketing for PRM-50-109, Concrete degradation (OGC Ticket 14-4602)

Geary,

(b)(5)

(b)(5)

Thanks.

-Jessie

Jessica Kratchman, candidate DrPH

Division of Policy and Rulemaking
Office of Nuclear Reactor Regulations
U.S. Nuclear Regulatory Commission
301-415-5112

From: Mizuno, Geary

Sent: Thursday, November 06, 2014 12:00 PM

To: Love-Blair, Angella; Kratchman, Jessica

Cc: Biggins, James; Jones, Bradley

Subject: Comments on Notice of Docketing for PRM-50-109, Concrete degradation (OGC Ticket 14-4602)

Angela and Jessica:

I am reviewing the notice of docketing for PRM-50-109, submitted by C-10 Foundation, seeking rulemaking on concrete degradation (OGC Ticket 14-4602).

(b)(5)

Geary

From: Love Blair, Angella
Sent: Wednesday, November 12, 2014 1:35 PM
To: OGCMailCenter Resource
Cc: Mizuno, Geary; Kratchman, Jessica; Bladey, Cindy; Terry, Leslie; Barczy, Theresa; Inverso, Tara
Subject: NLO REQUESTED BY NOVEMBER 26, 2014 - NOTICE OF RECEIPT AND REQUEST FOR COMMENTS ON PRM-50-109
Attachments: C-10 Petition - Notice of Docketing and Request for Comments.docx; FW: Please Provide Concurrence: CONCURRENCE REQUESTED BY NOVEMBER 19, 2014 - NOTICE OF RECEIPT AND REQUEST FOR COMMENTS ON PRM-50-109

Tracking:

Recipient

Delivery

OGCMailCenter Resource

Delivered: 11/12/2014 1:35 PM

Mizuno, Geary

Delivered: 11/12/2014 1:35 PM

Kratchman, Jessica

Delivered: 11/12/2014 1:35 PM

Bladey, Cindy

Delivered: 11/12/2014 1:35 PM

Terry, Leslie

Delivered: 11/12/2014 1:35 PM

Barczy, Theresa

Delivered: 11/12/2014 1:35 PM

Inverso, Tara

Delivered: 11/12/2014 1:35 PM

Note: The first attachment, a 6-page draft of the FR notice, is withheld in its entirety under FOIA exemption 5.

(b)(5)

Angella

From: Mizuno, Geary
Sent: Wednesday, November 12, 2014 1:56 PM
To: Love Blair, Angella
Cc: Kratchman, Jessica; Bladey, Cindy; Terry, Leslie; Barczy, Theresa; Inverso, Tara; Jones, Bradley; Biggins, James
Subject: RE: NLO REQUESTED BY NOVEMBER 26, 2014 - NOTICE OF RECEIPT AND REQUEST FOR COMMENTS ON PRM-50-109
Attachments: RE: Comments on Notice of Docketing for PRM-50-109, Concrete degradation (OGC Ticket 14-4602) Note: The 6-page draft attachment is withheld in its entirety under FOIA exemption 5.

Angela:

By this e-mail, OGC-RMR is providing a NLO to the notice of receipt and request for comments on PRM-50-109, as set forth in the documents attached to your November 12, 2014 e-mail sent at 1:35PM.

(b)(5)

Geary

From: Love-Blair, Angella
Sent: Wednesday, November 12, 2014 1:35 PM
To: OGCMailCenter Resource
Cc: Mizuno, Geary; Kratchman, Jessica; Bladey, Cindy; Terry, Leslie; Barczy, Theresa; Inverso, Tara
Subject: NLO REQUESTED BY NOVEMBER 26, 2014 - NOTICE OF RECEIPT AND REQUEST FOR COMMENTS ON PRM-50-109

(b)(5)

Angella



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

February XX, 2015

The Honorable James M. Inhofe
Chairman, Committee on Environment
and Public Works
United States Senate
Washington, DC 20510

Dear Mr. Chairman:

Enclosed is a copy of a notice of receipt and request for public comments for a petition for rulemaking (PRM), PRM-50-109, filed by Sandra Gavutis on behalf of C-10 Research and Education Foundation (the petitioner), on September 25, 2014. The petitioner requests that the NRC amend its regulations to provide improved identification techniques against Alkali-Silica Reaction concrete degradation at nuclear power plants. The notice of receipt has been published in the *Federal Register* for a 75-day public comment period. For more information, see the enclosed document.

Please feel free to contact me at (301) 415-1776 if you have questions or need more information.

Sincerely,

Eugene Dacus, Director
Office of Congressional Affairs

Enclosure: *Federal Register* Notice

cc: Senator Barbara Boxer

This Notice appears at 80 FR 1476 (Monday,
January 12, 2015).



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

February XX, 2015

The Honorable Shelly Moore Capito
Chairman, Subcommittee on Clean Air
and Nuclear Safety
Committee on Environment and Public Works
United States Senate
Washington, DC 20510

Dear Madame Chairman:

Enclosed is a copy of a notice of receipt and request for public comments for a petition for rulemaking (PRM), PRM-50-109, filed by Sandra Gavutis on behalf of C-10 Research and Education Foundation (the petitioner), on September 25, 2014. The petitioner requests that the NRC amend its regulations to provide improved identification techniques against Alkali-Silica Reaction concrete degradation at nuclear power plants. The notice of receipt has been published in the *Federal Register* for a 75-day public comment period. For more information, see the enclosed document.

Please feel free to contact me at (301) 415-1776 if you have questions or need more information.

Sincerely,

Eugene Dacus, Director
Office of Congressional Affairs

Enclosure: *Federal Register* Notice

cc: Senator Thomas R. Carper



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

February XX, 2015

The Honorable Fred Upton
Chairman, Committee on Energy
and Commerce
United States House of Representatives
Washington, DC 20515

Dear Mr. Chairman:

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Please feel free to contact me at (301) 415-1776 if you have questions or need more information.

Sincerely,

Eugene Dacus, Director
Office of Congressional Affairs

Enclosure: *Federal Register* Notice

cc: Representative Frank Pallone



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

February XX, 2015

The Honorable Ed Whitfield
Chairman, Subcommittee on Energy
and Power
Committee on Energy and Commerce
United States House of Representatives
Washington, DC 20515

Dear Mr. Chairman:

Enclosed is a copy of a notice of receipt and request for public comments for a petition for rulemaking (PRM), PRM-50-109, filed by Sandra Gavutis on behalf of C-10 Research and Education Foundation (the petitioner), on September 25, 2014. The petitioner requests that the NRC amend its regulations to provide improved identification techniques against Alkali-Silica Reaction concrete degradation at nuclear power plants. The notice of receipt has been published in the *Federal Register* for a 75-day public comment period. For more information, see the enclosed document.

Please feel free to contact me at (301) 415-1776 if you have questions or need more information.

Sincerely,

Eugene Dacus, Director
Office of Congressional Affairs

Enclosure: *Federal Register* Notice

cc: Representative Bobby L. Rush



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

February XX, 2015

The Honorable John Shimkus
Chairman, Subcommittee on Environment
and the Economy
Committee on Energy and Commerce
United States House of Representatives
Washington, DC 20515

Dear Mr. Chairman:

Enclosed is a copy of a notice of receipt and request for public comments for a petition for rulemaking (PRM), PRM-50-109, filed by Sandra Gavutis on behalf of C-10 Research and Education Foundation (the petitioner), on September 25, 2014. The petitioner requests that the NRC amend its regulations to provide improved identification techniques against Alkali-Silica Reaction concrete degradation at nuclear power plants. The notice of receipt has been published in the *Federal Register* for a 75-day public comment period. For more information, see the enclosed document.

Please feel free to contact me at (301) 415-1776 if you have questions or need more information.

Sincerely,

Eugene Dacus, Director
Office of Congressional Affairs

Enclosure: *Federal Register* Notice

cc: Representative Paul Tonko

February XX, 2015

The Honorable John Shimkus
Chairman, Subcommittee on Environment
and the Economy
Committee on Energy and Commerce
United States House of Representatives
Washington, DC 20515

Dear Mr. Chairman:

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Please feel free to contact me at (301) 415-1776 if you have questions or need more information.

Sincerely,

Eugene Dacus, Director
Office of Congressional Affairs

Enclosure: *Federal Register* Notice

cc: Representative Paul Tonko

IDENTICAL LETTERS SENT TO:

The Honorable James M. Inhofe with cc: to Senator Barbara Boxer
The Honorable Shelly Moore Capito with cc: to Senator Thomas R. Carper
The Honorable Fred Upton with cc: to Representative Frank Pallone
The Honorable Ed Whitfield with cc: to Representative Bobby L. Rush

ADAMS Accession No: ML14363A002

OFFICE	ADM/DAS/RA DB/RT	ADM/DAS/RA DB/TL	ADM/DAS/RA DB/BC	OCA/D
NAME	ALoveBlair	LTerry	CBladey	
DATE	11/25/14	2/ /15	2/ /15	2/ /15

OFFICIAL AGENCY RECORD

Sandra Gavutis
Executive Director
C-10 Foundation
44 Merrimac Street
Newburyport, MA 01950

Commented [ALB1]: The FRN states the name as the C-10 Research and Education Foundation. We need to confirm the correct name and use it consistently throughout all documents.

Dear Ms. Gravutis:

I am responding to the C-10 Foundation's (C-10) submittal from September 25, 2014 (Accession No. ML14281A124 in the NRC's Agencywide Documents Access and Management System), in which C-10 requested that the U.S. Nuclear Regulatory Commission (NRC) amend its regulations to provide better protection against concrete degradation due to alkali-silica reaction (ASR) at U.S. nuclear power plants by requiring all licensees to comply with American Concrete Institute (ACI) Committee Report ACI 349.3R, "Evaluation of Existing Nuclear Safety-Related Concrete Structures," and American Society for Testing and Materials -Standard C856-11, "Standard Practice for Petrographic Examination of Hardened Concrete." The C-10's request asserts that reliance on visual inspection does not adequately identify ASR, and does not confirm ASR or provide the current state of ASR damage without petrographic examination.

The petition for rulemaking (PRM) was docketed by the NRC on October 8, 2014, and was assigned Docket No. PRM-50-109. The notice of docketing was published on January 12, 2015 (80 FR 1476), and the public comment period closed on March 30, 2015.

The NRC has determined that the PRM failed to present information or arguments not already considered by the NRC when addressing recently-identified ASR at a nuclear power plant, which ~~that~~ would warrant the adoption of the regulations requested in the PRM. The NRC is, therefore, denying the petition. The reasons for the denial are discussed in detail in the enclosed notice, which will be published in the *Federal Register*. Upon publication of the notice, the NRC will close PRM-50-109.

You may direct any questions regarding this matter to Jessica Kratchman, by calling 301-415-5112 or by e-mailing Jessica.Kratchman@nrc.gov.

Sincerely,

Annette L. Vietti-Cook
Secretary of the Commission

Enclosure:
Federal Register notice

Sandra Gavutis
Executive Director
C-10 Foundation
44 Merrimac Street
Newburyport, MA 01950

Dear Ms. Gavutis:

I am responding to the C-10 Foundation's (C-10) submittal from September 25, 2014 (Accession No. ML14281A124 in the NRC's Agencywide Documents Access and Management System), in which C-10 requested that the U.S. Nuclear Regulatory Commission (NRC) amend its regulations to provide better protection against concrete degradation due to alkali-silica reaction (ASR) at U.S. nuclear power plants by requiring all licensees to comply with American Concrete Institute (ACI) Committee Report ACI 349.3R, "Evaluation of Existing Nuclear Safety-Related Concrete Structures," and American Society for Testing and Materials -Standard C856-11, "Standard Practice for Petrographic Examination of Hardened Concrete." The C-10's request asserts that reliance on visual inspection does not adequately identify ASR, and does not confirm ASR or provide the current state of ASR damage without petrographic examination.

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Sincerely,

Annette L. Vietti-Cook
Secretary of the Commission

Enclosure:
Federal Register notice

DISTRIBUTION:

PRMB r/f RAD/ADM r/f RidsNmDpr JKratchman GLappert
RidsNmOd RidsEdoMailCenter RidsOgcMailCenter Tinverso

ADAMS Accession Nos: PKG: ML15301A002; LTR: ML15301A003; SECY: ML15301A084; FRN: ML15301A192
Congressional Ltrs: ML15301A197

OFFICE	NRR/DPR/PRMB/PM	NRR/DPR/PRMB/RS	NRR/DPR/PRMB/BC	ADM/DAS/RADB/BC	OGC
NAME	JKratchman	GLappert	Tinverso	CBladey	
DATE					
OFFICE	NRR/DPR/DD	NRR/DPR/D	NRR/D	EDO	SECY
NAME	AMohseni	LKokajko	WDean	VMcCree	
DATE					

OFFICIAL RECORD COPY



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

MEMORANDUM TO: Eugene Dacus, Acting Director
Office of Congressional Affairs

FROM: Cindy K. Bladey, Chief
Rules, Announcements, and Directives Branch
Division of Administrative Services
Office of Administration

SUBJECT: TRANSMITTAL OF CONGRESSIONAL LETTERS

Enclosed for your signature are five congressional letters prepared for the petition for rulemaking entitled, "Improved Identification Techniques against Alkali-Silica Reaction Concrete Degradation at Nuclear Power Plants" (PRM-50-109; NRC-2014-0257).

The document was provided to the Office of the Secretary (SECY) for signature and subsequent publication. We have provided 15 copies of the document to the Office of Congressional Affairs (OCA) to be dispatched with the letters.

The ADAMS accession number for the congressional letters is ML14363A002. The OCA has been provided owner rights for the congressional letters.

Please return the concurrence page and file copy of the letters to Jessica Kratchman, NRR/DPR, Mailstop 12D20. In addition, please return a copy of the letters to me at OWFN-12-H08.

You may direct questions to me at 301-415-3280 (e-mail: Cindy.Bladey@nrc.gov) or to Leslie Terry at 301-415-1167 (e-mail: Leslie.Terry@nrc.gov).

Enclosures:
As stated

MEMORANDUM TO: Eugene Dacus, Acting Director
Office of Congressional Affairs

FROM: Cindy K. Bladey, Chief
Rules, Announcements, and Directives Branch
Division of Administrative Services
Office of Administration

SUBJECT: TRANSMITTAL OF CONGRESSIONAL LETTERS

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The document was provided to the Office of the Secretary (SECY) for signature and subsequent publication. We have provided 15 copies of the document to the Office of Congressional Affairs (OCA) to be dispatched with the letters.

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You may direct questions to me at 301-415-3280 (e-mail: Cindy.Bladey@nrc.gov) or to Leslie Terry at 301-415-1167 (e-mail: Leslie.Terry@nrc.gov).

Enclosures:
As stated

DISTRIBUTION: Rdg Subj ALOVEBLAIR LTERRY CBLADEY

ADAMS Accession No: MLXXXXXXXX

OFFICE	ADM:DAS:RADB	ADM:DAS:RADB:TL	ADM:DAS:RADB:BC
NAME	ALOVEBLAIR	LTERRY	CBLADEY
DATE	02/ /15	/ /15	/ /15

OFFICIAL RECORD COPY

The Honorable James M. Inhofe
Chairman, Committee on Environment
and Public Works
United States Senate
Washington, DC 20510

Dear Mr. Chairman:

The U.S. Nuclear Regulatory Commission (NRC) is publishing the following document in the *Federal Register*:

- Title: Improved Identification Techniques against Alkali-Silica Reaction (ASR) Concrete Degradation at Nuclear Power Plants [NRC-2014-0257]
- Description of the petition for rulemaking (PRM): This *Federal Register* notice denies PRM-50-109, which requested that the NRC amend its regulations to provide improved better protection against concrete degradation due to ASR at U.S. nuclear power plants by requiring all licensees to comply with American Concrete Institute Committee Report ACI 349.3R "Evaluation of Existing Nuclear Safety-Related Concrete Structures," and American Society for Testing and Materials Standard C856-11 "Standard Practice for Petrographic Examination of Hardened Concrete."
- Dates: The docket for the petition for rulemaking PRM-50-109 is closed on the date of publication.

Commented [ALB1]: For consistency among all documents.

For more information, see the enclosed document.

Please contact me at 301-415-1776 if you have questions or need more information.

Sincerely,

Eugene Dacus, Director
Office of Congressional Affairs

Enclosure:
Federal Register notice

cc: Senator Barbara Boxer

The Honorable Shelly Moore Capito
Chairman, Subcommittee on Clean Air and
Nuclear Safety
Committee on Environment and Public Works
United States Senate
Washington, DC 20510

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- Dates: The docket for the petition for rulemaking PRM-50-109 is closed on the date of publication.

For more information, see the enclosed document.

Please contact me at 301-415-1776 if you have questions or need more information.

Sincerely,

Eugene Dacus, Director
Office of Congressional Affairs

Enclosure:
Federal Register notice

cc: Senator Thomas R. Carper

The Honorable Fred Upton
Chairman, Committee on Energy and Commerce
United States House of Representatives
Washington, DC 20515

Dear Mr. Chairman:

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For more information, see the enclosed document.

Please contact me at 301-415-1776 if you have questions or need more information.

Sincerely,

Eugene Dacus, Director
Office of Congressional Affairs

Enclosure:
Federal Register notice

cc: Representative Frank Pallone

The Honorable Ed Whitfield
Chairman, Subcommittee on Energy and Power
Committee on Energy and Commerce
United States House of Representatives
Washington, DC 20515

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- Dates: The docket for the petition for rulemaking PRM-50-109 is closed on the date of publication.

For more information, see the enclosed document.

Please contact me at 301-415-1776 if you have questions or need more information.

Sincerely,

Eugene Dacus, Director
Office of Congressional Affairs

Enclosure:
Federal Register notice

cc: Representative Bobby L. Rush

The Honorable John Shimkus
Chairman, Subcommittee on Environment
and the Economy
Committee on Energy and Commerce
United States House of Representatives
Washington, DC 20515

Dear Mr. Chairman:

The U.S. Nuclear Regulatory Commission (NRC) is publishing the following document in the *Federal Register*:

- Title: Improved Identification Techniques against Alkali-Silica Reaction (ASR) Concrete Degradation at Nuclear Power Plants [NRC-2014-0257]
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Enclosure:
Federal Register notice

cc: Representative Paul Tonko

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Committee on Energy and Commerce
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Federal Register notice

cc: Representative Paul Tonko

Identical Letters sent to:

The Honorable James M. Inhofe with cc to Senator Barbara Boxer
The Honorable Shelly Moore Capito with cc to Senator Thomas R. Carper
The Honorable Fred Upton with cc to Representative Frank Pallone
The Honorable Ed Whitfield with cc to Representative Bobby L. Rush

ADAMS Accession No: ML				NRR-106			
OFFICE	DPR/PRMB/PM	DPR/PRMB/RS	DPR/PRMB/BC	DPR/DD	DPR/D	ADM/BC*	OCA/AD
NAME	JKratchman	GLappert	TInverso	AMohseni	LKokajko	CBladey	EDacus
DATE							

OFFICIAL RECORD COPY

PRM 50-109: Kick-off Meeting
01/14/2015; TAC: MF4971/02334/001
General Schedule/ Roles and Responsibilities Cheat Sheet

Step	Status	Notes	Staff	Timeframe
Processing of PRM by ADM	✓	ADM acknowledged receipt/ reviewed content for acceptability.	ADM	(~ 1 mo)
	✓	PRM docketed acceptability. NRR reviews/ concurs and Notice of Receipt FRN published for public comment (75 days).	ADM, NRR	
	✓	NRR/ DPR assigns a PM to manage the petition.	NRR PM	
Step 1: Initiate the PRM with a Routine Schedule	✓	TAC number assigned	NRR PM	(~ 1 mo)
	✓	Establish the WG during the public comment period: PM from DPR, technical staff, attorney from OGC, RDEB from ADM.	NRR PM	
	[Draft]	Develop the milestone schedule for reviewing the PRM and preparing the resolution package.	NRR PM	
	✓	Hold a kickoff meeting with the WG.	WG members	
Step 2: Evaluate the PRM and Prepare the FRN package	□	Review petition/ comments- develop recommended resolution.	WG members	(~ 10.5 mo)
	□	Bin/ summarize the comments: develop a comment matrix/ provide the matrix to the WG	NRR PM	
	□	Hold periodic meetings with the WG to discuss the draft responses.	WG	
	□	Prepare draft package for PRM based on resolution recommended by the WG.	NRR PM	
		Prepare FRN based on WG recommendation (accepted/ denied)	NRR PM	
	□	Draft memo from DPR to ADM for publishing of the PRM in the <i>Federal Register</i> .	NRR PM, ADM	
	□	Prepare EDO Memo or Commission (SECY) Paper	NRR PM, then WG	
	□	Prepare a letter to the Petitioner	NRR PM, ADM	
	□	Obtain agreement from the WG and their Branch Chiefs on the package.	NRR PM	
	□	Evaluate the need for/ prepare Communication Plan for the PRM, as appropriate	NRR PM	
Step 3: Resolution of Petition in a PRB mtg	□	Schedule a briefing of the PRB to obtain management approval for the WG's proposed resolution.	NRR PM/ WG	≤ 12 mo after NOR
Step 4: Reviews	□	DPR Branch Chief Review of the PRM Package	NRR PM	(~ 10 days)
Step 5: Reviews	□	Division Review of PRM Package	NRR PM, WG	(~ 10 days)
Step 6: Reviews	□	Interoffice Review of the PRM Package	NRR PM, WG	(~ 20 days)
Step 7: Reviews	□	NRR Review of PRM Package	NRR PM, WG	(~ 5 days)
Step 8: Reviews	□	EDO Review of the PRM Package	NRR PM, WG	(~ 5 days)
Step 9: Reviews	□	Commission Review of the PRM Package	NRR PM, WG	(~ 2 mo)
Step 10: Reviews	□	Publishing the PRM resolution	NRR, ADM	(~ 5 days)
Step 11a: Finalization!	□	Closure of PRM	NRR PM	(~ 1 day)
Step 11b: Consider RM	□	Initiate the PRM with a "Considered in a Future Rulemaking" Schedule	NRR PM	...

Source: LIC-300: Rulemaking Procedures

PRM 50-109 WORKING SCHEDULE
dccc

PRM 50-109: Kick-off Meeting
01/14/2015; TAC: MF4971/02334/001
General Schedule/ Roles and Responsibilities Cheat Sheet
Working Group Roles and Responsibilities

Working Group: A WG assists in preparation and obtaining concurrences on the PRM packages.

1. Providing technical input: the WG should assist by providing input to the following:
 - a. PRM package/ FRNs
 - b. Regulatory language
 - c. Regulatory and Back-fit analyses
 - d. Estimate of information collection burden
 - e. Response to comments from the public
 - f. Commission Papers or EDO memos
 - g. Monitor and/or review of contractor supporting documents
 - h. Letters to Petitioners
2. Assisting with the concurrence process. The WG should:
 - a. Notify their management of potential problems or policy issues
 - b. Obtain management input on policy decisions
 - c. Obtain management comments on rulemaking or PRMs packages
 - d. Facilitate management concurrence on rulemaking or PRMs packages
3. Supporting management briefings and public meetings.
4. Preparing associated guidance for the rule. The WG should:
 - a. Ensure the guidance documents will be available at the time the rule will be implemented
5. Participating in WG meetings. The WG members should:
 - a. Attend WG meetings
 - b. Stay focused and be prepared to discuss issues
 - c. Provide input on mutually agreed upon schedule
 - d. Clearly state his or her organization's positions and concerns
 - e. Be respectful and polite with fellow WG members

The Honorable James M. Inhofe
Chairman, Committee on Environment
and Public Works
United States Senate
Washington, DC 20510

Commented [ALB1]: Please make changes to all letters.

Dear Mr. Chairman:

The U.S. Nuclear Regulatory Commission (NRC) is publishing the following document in the Federal Register:

- Title: ~~Rulemaking Petition for Improved Identification Techniques Against~~ against Alkali-Silica Reaction (ASR) Concrete Degradation at Nuclear Power Plants [NRC-2014-0257]
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- Dates: The docket for the petition for rulemaking PRM-50-109 is closed on the date of publication.

For more information, see the enclosed document.

Please contact me at 301-415-1776 if you have questions or need more information.

Sincerely,

Eugene Dacus, Director
Office of Congressional Affairs

Enclosure:
Federal Register notice

cc: Senator Barbara Boxer

The Honorable Shelly Moore Capito
Chairman, Subcommittee on Clean Air and
Nuclear Safety
Committee on Environment and Public Works
United States Senate
Washington, DC 20510

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Office of Congressional Affairs

Enclosure:
Federal Register notice

cc: Senator Thomas R. Carper

The Honorable Fred Upton
Chairman, Committee on Energy and Commerce
United States House of Representatives
Washington, DC 20515

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Enclosure:
Federal Register notice

cc: Representative Frank Pallone

The Honorable Ed Whitfield
Chairman, Subcommittee on Energy and Power
Committee on Energy and Commerce
United States House of Representatives
Washington, DC 20515

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Enclosure:
Federal Register notice

cc: Representative Bobby L. Rush

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Enclosure:
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The Honorable James M. Inhofe with cc to Senator Barbara Boxer
The Honorable Shelly Moore Capito with cc to Senator Thomas R. Carper
The Honorable Fred Upton with cc to Representative Frank Pallone
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ADAMS Accession No: ML14105A098

NRR-106

OFFICE	DPR/PRMB/PM	DPR/PRMB/RS	DPR/PRMB/BC	DPR/DD	DPR/D	ADM/BC*	OCA/AD
NAME	JTobin	GLappert	TInverso	AMohseni	LKokajko (w/edits)	CBladey	EDacus
DATE	11/5/2014	11/5/2014	11/14/2014	12/1/2014	12/17/2014	1/7/2015	

OFFICIAL RECORD COPY

The Honorable James M. Inhofe
Chairman, Committee on Environment
and Public Works
United States Senate
Washington, DC 20510

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Commented [LA1]: Added for consistency with FRN.

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Committee on Energy and Commerce
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ADAMS Accession Nos: PKG: ML15301A002; LTR: ML15301A003; SECY: ML15301A084; FRN: ML15301A192
Congressional Ltrs: ML15301A197

OFFICE	NRR/DPR/PRMB/PM	NRR/DPR/PRMB/RS	NRR/DPR/PRMB/BC	ADM/DAS/RADB/BC	NRR/DPR/DD
NAME	JCameal	GLappert	MKhanna	CBladey	Llund (Mjevriias for)
DATE	06/20/2016	6/21/2016	7/2/2016		8/12/2016
OFFICE	OCA				
NAME	EDacus				
DATE					

OFFICIAL RECORD COPY

From: [Benner, Eric](#)
To: [Khanna, Meena](#); [Bladey, Cindy](#); [Carpenter, Cynthia](#); [Regan, Christopher](#); [Spencer, Mary](#)
Cc: [Lehman, Bryce](#); [Helton, Shana](#); [Caldwell, Bob](#); [Thomas, Brian](#); [Campbell, Tison](#); [Ghosh Naber, Anita](#); [Lappert, Glenna](#)
Subject: RE: Request for Re-Concurrence - Denial Package on C-10's PRM on Alkali Silica Reaction (50-109) (2/16)
Date: Tuesday, February 13, 2018 7:26:56 AM

Thanks, Meena. I re-concur for NRR/DE. I offer my appreciation to the EDO's office as I believe the edits improve context significantly.

From: Khanna, Meena

Sent: Monday, February 12, 2018 7:59 PM

To: Bladey, Cindy <Cindy.Bladey@nrc.gov>; Benner, Eric <Eric.Benner@nrc.gov>; Carpenter, Cynthia <Cynthia.Carpenter@nrc.gov>; Regan, Christopher <Christopher.Regan@nrc.gov>; Spencer, Mary <Mary.Spencer@nrc.gov>

Cc: Lehman, Bryce <Bryce.Lehman@nrc.gov>; Helton, Shana <Shana.Helton@nrc.gov>; Caldwell, Robert <Robert.Caldwell@nrc.gov>; Thomas, Brian <Brian.Thomas@nrc.gov>; Campbell, Tison <Tison.Campbell@nrc.gov>; Ghosh, Anita <Anita.Ghosh@nrc.gov>; Lappert, Glenna <Glenna.Lappert@nrc.gov>

Subject: Request for Re-Concurrence - Denial Package on C-10's PRM on Alkali Silica Reaction (50-109) (2/16)

Cindy, Eric, Cynthia, Chris, and Mary:

Good evening, DRM is requesting your re-concurrence of C-10's petition for rulemaking (PRM), whereby they requested the NRC to amend its regulations to provide improved identification techniques for better protection against concrete degradation due to alkali-silica reaction (ASR) at U.S. nuclear power plants. Specifically, the petitioner requested that the NRC require all licensees to comply with ACI 349.3R, "Evaluation of Existing Nuclear Safety-Related Concrete Structures" and ASTM Standard C856-11, "Standard Practice for Petrographic Examination of Hardened Concrete."

The staff had placed this document into concurrence a while back, and received quite a bit of comments from OEDO, and due to other high priority workload, was not able to work on this until recently. Because there are quite a few changes that were made to address OEDO's comments, we are asking for the appropriate organizations to re-review and re-concur. In order to help with your review, we have provided compare and clean versions from the time that the package was reviewed, previously.

We'd appreciate any comments and your concurrence by Friday, 2/16. We will then request NRR and RES FO concurrence.

Please contact me or Bryce Lehman if you have any comments or concerns.

Thanks,
Meena

From: [Thomas, Brian](#)
To: [Campbell, Tison](#); [Carpenter, Cynthia](#); [Khanna, Meena](#); [Bladey, Cindy](#); [Benner, Eric](#); [Regan, Christopher](#); [Spencer, Mary](#)
Cc: [Lehman, Bryce](#); [Helton, Shana](#); [Caldwell, Bob](#); [Ghosh, Anita](#); [Lappert, Glenna](#)
Subject: RE: Request for Re-Concurrence - Denial Package on C-10's PRM on Alkali Silica Reaction (50-109) (2/16)
Date: Tuesday, February 13, 2018 9:50:07 AM

I re-concur for RES/DE.

Brian

From: Campbell, Tison

Sent: Tuesday, February 13, 2018 9:35 AM

To: Carpenter, Cynthia <Cynthia.Carpenter@nrc.gov>; Khanna, Meena <Meena.Khanna@nrc.gov>; Bladey, Cindy <Cindy.Bladey@nrc.gov>; Benner, Eric <Eric.Benner@nrc.gov>; Regan, Christopher <Christopher.Regan@nrc.gov>; Spencer, Mary <Mary.Spencer@nrc.gov>

Cc: Lehman, Bryce <Bryce.Lehman@nrc.gov>; Helton, Shana <Shana.Helton@nrc.gov>; Caldwell, Robert <Robert.Caldwell@nrc.gov>; Thomas, Brian <Brian.Thomas@nrc.gov>; Ghosh, Anita <Anita.Ghosh@nrc.gov>; Lappert, Glenna <Glenna.Lappert@nrc.gov>

Subject: RE: Request for Re-Concurrence - Denial Package on C-10's PRM on Alkali Silica Reaction (50-109) (2/16)

OGC continues to have no legal objection to these documents.

Tison Campbell

Deputy Assistant General Counsel

US Nuclear Regulatory Commission

Office of the General Counsel

(301) 287-9290

From: Carpenter, Cynthia

Sent: Tuesday, February 13, 2018 8:53 AM

To: Khanna, Meena <Meena.Khanna@nrc.gov>; Bladey, Cindy <Cindy.Bladey@nrc.gov>; Benner, Eric <Eric.Benner@nrc.gov>; Regan, Christopher <Christopher.Regan@nrc.gov>; Spencer, Mary <Mary.Spencer@nrc.gov>

Cc: Lehman, Bryce <Bryce.Lehman@nrc.gov>; Helton, Shana <Shana.Helton@nrc.gov>; Caldwell, Robert <Robert.Caldwell@nrc.gov>; Thomas, Brian <Brian.Thomas@nrc.gov>; Campbell, Tison <Tison.Campbell@nrc.gov>; Ghosh, Anita <Anita.Ghosh@nrc.gov>; Lappert, Glenna <Glenna.Lappert@nrc.gov>

Subject: RE: Request for Re-Concurrence - Denial Package on C-10's PRM on Alkali Silica Reaction (50-109) (2/16)

I re-concur for NRO/DEI.

From: Khanna, Meena

Sent: Monday, February 12, 2018 7:59 PM

To: Bladey, Cindy <Cindy.Bladey@nrc.gov>; Benner, Eric <Eric.Benner@nrc.gov>; Carpenter, Cynthia <Cynthia.Carpenter@nrc.gov>; Regan, Christopher <Christopher.Regan@nrc.gov>; Spencer, Mary <Mary.Spencer@nrc.gov>

Cc: Lehman, Bryce <Bryce.Lehman@nrc.gov>; Helton, Shana <Shana.Helton@nrc.gov>; Caldwell, Robert <Robert.Caldwell@nrc.gov>; Thomas, Brian <Brian.Thomas@nrc.gov>; Campbell, Tison <Tison.Campbell@nrc.gov>; Ghosh, Anita <Anita.Ghosh@nrc.gov>; Lappert, Glenna <Glenna.Lappert@nrc.gov>

Subject: Request for Re-Concurrence - Denial Package on C-10's PRM on Alkali Silica Reaction (50-

109) (2/16)

Cindy, Eric, Cynthia, Chris, and Mary:

Good evening, DRM is requesting your re-concurrence of C-10's petition for rulemaking (PRM), whereby they requested the NRC to amend its regulations to provide improved identification techniques for better protection against concrete degradation due to alkali-silica reaction (ASR) at U.S. nuclear power plants. Specifically, the petitioner requested that the NRC require all licensees to comply with ACI 349.3R, "Evaluation of Existing Nuclear Safety-Related Concrete Structures" and ASTM Standard C856-11, "Standard Practice for Petrographic Examination of Hardened Concrete."

The staff had placed this document into concurrence a while back, and received quite a bit of comments from OEDO, and due to other high priority workload, was not able to work on this until recently. Because there are quite a few changes that were made to address OEDO's comments, we are asking for the appropriate organizations to re-review and re-concur. In order to help with your review, we have provided compare and clean versions from the time that the package was reviewed, previously.

We'd appreciate any comments and your concurrence by Friday, 2/16. We will then request NRR and RES FO concurrence.

Please contact me or Bryce Lehman if you have any comments or concerns.

Thanks,

Meena

From: [Khanna, Meena](#)
To: [Shepherd, Jill](#)
Cc: [Bladey, Cindy](#); [Lappert, Glenna](#)
Subject: RE: Request for Re-Concurrence - Denial Package on C-10's PRM on Alkali Silica Reaction (50-109) (2/16)
Date: Tuesday, February 13, 2018 12:49:36 PM

Great, thanks Jill!

From: Shepherd-Vladimir, Jill
Sent: Tuesday, February 13, 2018 12:44 PM
To: Khanna, Meena <Meena.Khanna@nrc.gov>
Cc: Bladey, Cindy <Cindy.Bladey@nrc.gov>
Subject: RE: Request for Re-Concurrence - Denial Package on C-10's PRM on Alkali Silica Reaction (50-109) (2/16)

Meena,

I will review and returns my edits and concurrence to you by the end of the day.

Thanks,

Jill

Jill Shepherd - Vladimir

Rulemaking Support Team Lead

Regulatory Analysis and Rulemaking Support Branch

Division of Rulemaking

Office of Nuclear Material Safety and Safeguards

NMSS/DRM/RASB

TWFN 04 A11

Phone: 301-415-1230

E-mail: Jill.Shepherd@nrc.gov

From: Khanna, Meena
Sent: Tuesday, February 13, 2018 12:01 PM
To: Shepherd-Vladimir, Jill <Jill.Shepherd-Vladimir@nrc.gov>
Cc: Bladey, Cindy <Cindy.Bladey@nrc.gov>
Subject: FW: Request for Re-Concurrence - Denial Package on C-10's PRM on Alkali Silica Reaction (50-109) (2/16)

Jill, do you happen to have time to review this for Cindy? We've received all other concurrences and are ready to move this on to Michele Evans and Mike Webber...I know that you are really busy, but if you can get to this and just review the redline, that would be great, and if you need additional time, that is fine, as well. thanks!

Meena

From: Khanna, Meena
Sent: Monday, February 12, 2018 7:59 PM
To: Bladey, Cindy <Cindy.Bladey@nrc.gov>; Benner, Eric <Eric.Benner@nrc.gov>; Carpenter, Cynthia <Cynthia.Carpenter@nrc.gov>; Regan, Christopher <Christopher.Regan@nrc.gov>; Spencer, Mary <Mary.Spencer@nrc.gov>
Cc: Lehman, Bryce <Bryce.Lehman@nrc.gov>; Helton, Shana <Shana.Helton@nrc.gov>; Caldwell, Robert <Robert.Caldwell@nrc.gov>; Thomas, Brian <Brian.Thomas@nrc.gov>; Campbell, Tison

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From: [Shepherd, Jill](#)
To: [Khanna, Meena](#)
Cc: [Bladey, Cindy](#)
Subject: RE: Request for Re-Concurrence - Denial Package on C-10's PRM on Alkali Silica Reaction (50-109) (2/16)
Date: Tuesday, February 13, 2018 6:13:43 PM

I had no edits to the letter to the petitioner.

Jill Shepherd - Vladimir

Rulemaking Support Team Lead

Regulatory Analysis and Rulemaking Support Branch

Division of Rulemaking

Office of Nuclear Material Safety and Safeguards

NMSS/DRM/RASB

TWJN 04 A11

Phone: 301-415-1230

E-mail: Jill.Shepherd@nrc.gov

From: Khanna, Meena

Sent: Tuesday, February 13, 2018 12:01 PM

To: Shepherd-Vladimir, Jill <Jill.Shepherd-Vladimir@nrc.gov>

Cc: Bladey, Cindy <Cindy.Bladey@nrc.gov>

Subject: FW: Request for Re-Concurrence - Denial Package on C-10's PRM on Alkali Silica Reaction (50-109) (2/16)

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