



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

Mr. Geoffrey H. Fettus  
Senior Project Attorney, Nuclear Program  
Natural Resources Defense Council, Inc.  
1152 15<sup>th</sup> St. NW, Suite 300  
Washington, DC 20005

Dear Mr. Fettus:

I am responding to the petition for rulemaking (PRM) dated October 14, 2011, which was submitted to the U.S. Nuclear Regulatory Commission (NRC) by Mr. Jordan Weaver (who has since departed your organization) on behalf of the Natural Resources Defense Council, Inc. (the NRC's Agencywide Documents Access and Management System [ADAMS] Accession No. ML11301A094). The petitioner requested that the NRC amend its regulations in Part 50, "Domestic Licensing of Production and Utilization Facilities," of Title 10 of the *Code of Federal Regulations* regarding the measurement and control of combustible gas generation and dispersal within a power reactor system. The petition was assigned Docket No. PRM-50-103 and the NRC published a notice of docketing in the *Federal Register* on January 5, 2012 (77 FR 441).

The NRC did not seek public comments on PRM-50-103 because the issues raised by the petitioner were considered to be part of the recommendations on the Fukushima accident in Japan contained in SECY-11-0093, "Near-Term Report and Recommendations for Agency Actions Following the Events in Japan," (Near-Term Task Force Report) (ADAMS Accession No. ML11186A950). The NRC held several public meetings on the Near-Term Task Force Report recommendations, which also included the subjects raised by the petitioner, and therefore, provided the NRC with sufficient information to review the petition. You can view the documents associated with the petition on the Federal rulemaking Web site, <http://www.regulations.gov>, under Docket ID NRC-2011-0189.

The NRC has determined that the issues raised in the petition have been addressed by the actions that were taken in response to the Fukushima Dai-ichi nuclear accident, including orders associated with measurement and control of combustible gas generation and by current regulations. The petition, PRM-50-103, did not provide sufficient new information or arguments to warrant support revising the regulations as requested; therefore, the NRC is denying PRM-50-103. The reasons for the denial are explained in Section II of the enclosed notice, which will be published in the *Federal Register*. Upon publication of the enclosed notice, the NRC will close the docket for PRM-50-103.

H. Fettus

- 2 -

If you have any questions regarding this matter, please direct them to Edward M. Lohr at 301-415-0253, or by e-mailing [Edward.Lohr@nrc.gov](mailto:Edward.Lohr@nrc.gov).

Sincerely,

Annette L. Vietti-Cook  
Secretary of the Commission

Enclosure:  
*Federal Register* notice