Mr. Robert N. Meyer
Professional Reactor Operator Society
E-mail: robt.meyer@gmail.com

Dear Mr. Meyer:

I am responding to the petition for rulemaking (PRM) dated October 16, 2009 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML092960440), that was submitted by you on behalf of the Professional Reactor Operator Society (PROS), to the U.S. Nuclear Regulatory Commission (NRC). The petition was docketed as PRM-26-3 and requested that the NRC amend its regulations in Title 10 of the *Code of Federal Regulations* Part 26, "Fitness for Duty Programs," to change the term "unit outage" to "site outage," used in § 26.205(d)(4) and (d)(5) and that the definition of "site outage" should be provided to read as "up to 1 week prior to disconnecting the reactor unit from the grid and up to 75-percent turbine power following reconnection to the grid."

In response to this petition, the NRC initially determined that the issues raised in PRM-26-3 would be considered in a rulemaking activity titled, "Quality Control/Quality Verification" (QC/QV) (Docket ID: NRC-2009-0090) and published a *Federal Register* notice (76 FR 28192) on May 16, 2011 to this effect. In a letter dated April 30, 2011 (ADAMS Accession No. ML110450238), the NRC notified you of this action. On December 9, 2015, the NRC published a notice in the *Federal Register* discontinuing the QC/QV rulemaking (80 FR 76394). Under 10 C.F.R. 2.803(i)(2), if the NRC decides not to complete a rulemaking, any associated PRM is documented as denied. Therefore, the NRC is denying PRM-26-3 without prejudice as a procedural matter under 10 CFR 2.803(i)(2). Because this is a denial without prejudice, this PRM may be resubmitted under 10 CFR 2.802 for further consideration of the issues raised. For additional information, please see the enclosed *Federal Register* notice.

Sincerely,

Annette L. Vietti-Cook,
Secretary of the Commission.

Enclosure:
Federal Register notice As stated