

February 15, 2001

The Honorable George V. Voinovich, Chairman
Subcommittee on Clean Air, Wetlands, Private
Property and Nuclear Safety
Committee on Environment and Public Works
United States Senate
Washington, DC 20510

Dear Mr. Chairman:

The Nuclear Regulatory Commission (NRC) has sent to the Office of the Federal Register the enclosed *Federal Register* notice for publication in which the NRC denies a petition for rulemaking. In the petition for rulemaking dated July 13, 1999, the petitioner (Nuclear Energy Institute) requested that the Commission amend its regulations to delete the requirement, found in 10 CFR §51.53(c)(3)(ii)(L), to consider Severe Accident Mitigation Alternatives (SAMAs) as part of the environmental review to support license renewal decisions. The Commission is denying the petition because the agency must continue to consider SAMAs for issuance of a new or renewed operating license for a power reactor in order to meet its responsibilities under the National Environmental Policy Act (NEPA), notwithstanding the legal arguments presented in the petition. However, the Commission will work with stakeholders to identify ways to gain efficiencies in addressing SAMAs, while continuing to fulfill its obligations under NEPA.

Sincerely,

/RA/ Signed by L. Portner for

Dennis K. Rathbun, Director
Office of Congressional Affairs

Enclosure:
Federal Register Notice

cc: Senator Joseph I. Lieberman

February 15, 2001

The Honorable George V. Voinovich, Chairman
Subcommittee on Clean Air, Wetlands, Private
Property and Nuclear Safety
Committee on Environment and Public Works
United States Senate
Washington, DC 20510

Dear Mr. Chairman:

The Nuclear Regulatory Commission (NRC) has sent to the Office of the Federal Register the enclosed *Federal Register* notice for publication in which the NRC denies a petition for rulemaking. In the petition for rulemaking dated July 13, 1999, the petitioner (Nuclear Energy Institute) requested that the Commission amend its regulations to delete the requirement, found in 10 CFR §51.53(c)(3)(ii)(L), to consider Severe Accident Mitigation Alternatives (SAMAs) as part of the environmental review to support license renewal decisions. The Commission is denying the petition because the agency must continue to consider SAMAs for issuance of a new or renewed operating license for a power reactor in order to meet its responsibilities under the National Environmental Policy Act (NEPA), notwithstanding the legal arguments presented in the petition. However, the Commission will work with stakeholders to identify ways to gain efficiencies in addressing SAMAs, while continuing to fulfill its obligations under NEPA.

Sincerely,

/RA/ Signed by L. Portner for

Dennis K. Rathbun, Director
Office of Congressional Affairs

Enclosure:
Federal Register Notice

cc: Senator Joseph I. Lieberman

DISTRIBUTION:

ADAMS
RGEB r/f
SCollins/RZimmerman
JJohnson, ADIP
DMatthews/SNewberry
CCarpenter
MMalloy
DCleary

Accession No.: ML010370293
Template NRR-106

DOCUMENT NAME:G:\RGEB\DPC\SAMA\SAMACONGr1.WPD

OFFICE	RGEB;DRIP	RGEB:DRIP	RGEB:DRIP	D:DRIP	ADIP
NAME	DCleary:ayw	MMalloy	CCarpenter	DMatthews	JJohnson
DATE	02/06/01	02/06/01	02/06/01	02/06/01	02/07/01
OFFICE	D:NRR	D:OCA			
NAME	SCollins	DRathbun			
DATE	02/08/01	02/09/01			

OFFICIAL RECORD COPY

February 15, 2001

The Honorable Joe L. Barton, Chairman
Subcommittee on Energy and Air Quality
Committee on Energy and Commerce
United States House of Representatives
Washington, DC 20515

Dear Mr. Chairman:

The Nuclear Regulatory Commission (NRC) has sent to the Office of the Federal Register the enclosed *Federal Register* notice for publication in which the NRC denies a petition for rulemaking. In the petition for rulemaking dated July 13, 1999, the petitioner (Nuclear Energy Institute) requested that the Commission amend its regulations to delete the requirement, found in 10 CFR §51.53(c)(3)(ii)(L), to consider Severe Accident Mitigation Alternatives (SAMAs) as part of the environmental review to support license renewal decisions. The Commission is denying the petition because the agency must continue to consider SAMAs for issuance of a new or renewed operating license for a power reactor in order to meet its responsibilities under the National Environmental Policy Act (NEPA), notwithstanding the legal arguments presented in the petition. However, the Commission will work with stakeholders to identify ways to gain efficiencies in addressing SAMAs, while continuing to fulfill its obligations under NEPA.

Sincerely,

/RA/ Signed by L. Pornter for

Dennis K. Rathbun, Director
Office of Congressional Affairs

Enclosure:
Federal Register Notice

cc: Representative Rick Boucher

February 15, 2001

The Honorable Joe L. Barton, Chairman
Subcommittee on Energy and Air Quality
Committee on Energy and Commerce
United States House of Representatives
Washington, DC 20515

Dear Mr. Chairman:

The Nuclear Regulatory Commission (NRC) has sent to the Office of the Federal Register the enclosed *Federal Register* notice for publication in which the NRC denies a petition for rulemaking. In the petition for rulemaking dated July 13, 1999, the petitioner (Nuclear Energy Institute) requested that the Commission amend its regulations to delete the requirement, found in 10 CFR §51.53(c)(3)(ii)(L), to consider Severe Accident Mitigation Alternatives (SAMAs) as part of the environmental review to support license renewal decisions. The Commission is denying the petition because the agency must continue to consider SAMAs for issuance of a new or renewed operating license for a power reactor in order to meet its responsibilities under the National Environmental Policy Act (NEPA), notwithstanding the legal arguments presented in the petition. However, the Commission will work with stakeholders to identify ways to gain efficiencies in addressing SAMAs, while continuing to fulfill its obligations under NEPA.

Sincerely,

/RA/ Signed by L. Portner for

Dennis K. Rathbun, Director
Office of Congressional Affairs

Enclosure:
Federal Register Notice

cc: Representative Rick Boucher

DISTRIBUTION:

ADAMS
RGEB r/f
SCollins/RZimmerman
JJohnson, ADIP
DMatthews/SNewberry
CCarpenter
MMalloy
DCleary

Accession No.: M L010370293
Template NRR-106

DOCUMENT NAME:G:\RGEB\DPC\SAMA\SAMACONGr1.WPD

OFFICE	RGEB;DRIP	RGEB:DRIP	RGEB:DRIP	D:DRIP	ADIP
NAME	DCleary:ayw	MMalloy	CCarpenter	DMatthews	JJohnson
DATE	02/06/01	02/06/01	02/06/01	02/06/01	02/07/01
OFFICE	D:NRR	D:OCA			
NAME	SCollins	DRathbun			
DATE	02/08/01	02/09/01			

OFFICIAL RECORD COPY