

May 5, 2004

Mr. Robert H. Leyse
P.O. Box 2850
Sun Valley, ID 83353

Dear Mr. Leyse:

I am writing to inform you of the status of two petitions for rulemaking that you submitted concerning the effects of crud deposition and fouling on evaluation models used to assess the performance of emergency core cooling systems (ECCSs) and on the performance of heat-transfer surfaces in nuclear power plants.

The petition for rulemaking, Docket No. PRM-50-76, dated May 1, 2002, requested changes to the regulations and guidance on evaluating ECCS performance. In the staff review process, a decision was made to request review of the petition by the NRC Office of Research (RES), relative to ongoing work on ECCS performance. The RES review is now complete and the staff has met with a Petition Review Board (PRB) . A recommendation to the Commission regarding disposition of this petition is in preparation.

With respect to the petition for rulemaking, Docket No. PRM-50-78, dated September 2, 2002, requesting that fouling of heat transfer surfaces in nuclear power plants be addressed by rule changes, a staff working group was convened and analysis of the petition is complete. A PRB was convened, and a recommendation to the Commission regarding disposition of this petition is also in preparation.

As you are aware, until the Commission has approved the recommended resolution of the petition, findings of the PRB are considered pre-decisional and can not be released. A letter will be sent to you regarding disposition of each of the two petitions as soon as the Commission has voted on the staff recommendations.

Sincerely,

/RA/

Alan K. Roecklein
Policy and Rulemaking Program
Division of Regulatory Improvement Programs
Office of Nuclear Reactor Regulation

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P.O. Box 2850
Sun Valley, ID 83353

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As you are aware, until the Commission has approved the recommended resolution of the petition, findings of the PRB are considered pre-decisional and can not be released. A letter will be sent to you regarding disposition of each of the two petitions as soon as the Commission has voted on the staff recommendations.

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Alan K. Roecklein
Policy and Rulemaking Program
Division of Regulatory Improvement Programs
Office of Nuclear Reactor Regulation

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