



UNITED STATES
NUCLEAR REGULATORY COMMISSION

WASHINGTON, D.C. 20555-0001

PR 50,72 and 73
(71FR62663)

December 27, 2006

SECRETARY

DOCKETED
USNRC

January 8, 2007 (11:30am)

OFFICE OF SECRETARY
RULEMAKINGS AND
ADJUDICATIONS STAFF

Mr. Douglas J. Walters
Senior Director, Security
Nuclear Generation Division
Nuclear Energy Institute
1776 I Street NW, Suite 400
Washington, D.C. 20006

Dear Mr. Walters:

I am responding to your request of November 17, 2006, that the U.S. Nuclear Regulatory Commission (NRC) extend by 60 days the public comment period for proposed power reactor security requirements rulemaking (RIN 3150-AG63) including the comment period for the information collection aspects of the proposed rule. Your request listed four supporting reasons for the comment period extension:

- 1) There are two major holidays during the comment period;
- 2) This is a major and complex rulemaking as evidenced by the sheer volume of the rulemaking package (SECY-06-0216 exceeds 1000 pages);
- 3) Since June 2006, NEI has been engaged in the development of NEI 06-12, "B.5.b Phase 2&3 Submittal Guideline" which licensees will use to respond to the NRC site-specific Phase 3 letters. Licensee responses are due in early January 2007; and
- 4) Comments on the proposed § 73.21 rulemaking are due January 2, 2007.

On October 26, 2006 (71 FR 62664), the Nuclear Regulatory Commission (NRC) published for public comment a proposed rule that would amend its current security regulations and would add new security requirements pertaining to nuclear power reactors. Additionally, this rulemaking includes new proposed security requirements for Category I strategic special nuclear material (SSNM) facilities for access to enhanced weapons and firearms background checks. A 75 day comment period was provided for the proposed rule, set to expire on January 9, 2007. Comments specific to the information collection aspects of the proposed rule were due on November 27, 2006.

In view of the NRC's desire to receive high quality comments from external stakeholders, and recognizing the extenuating circumstances that adversely impact the capability of external stakeholders to comment on the proposed rulemaking given ongoing activities which are competing for the same industry resources, the comment period, for both the proposed rulemaking and for the information collections analysis, will be extended for an additional 45 days. This partial grant of your request recognizes that the power reactor security requirements impact new reactor applications, and it is the NRC's objective to not adversely

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impact new reactor applications which are scheduled to be submitted in late 2007. The proposed rule deadline is extended from the original January 9, 2007, deadline to February 23, 2007, and the information collections analysis deadline is extended from the original November 27, 2006 deadline to January 11, 2007. A notice of this extension of the comment period will also be published in the *Federal Register* (enclosed).

Sincerely,

A handwritten signature in black ink, appearing to read "Annette Vietti-Cook". The signature is fluid and cursive, with a long horizontal flourish extending to the right.

Annette L. Vietti-Cook
Secretary of the Commission

Enclosure:

Federal Register Notice: Power Reactor
Security Requirements; Extension of
Comment Period