Mr. Eric Epstein
Three Mile Island Alert
4100 Hillsdale Road
Harrisburg, Pennsylvania 17112

Dear Mr. Epstein:

I am responding to your petition for rulemaking, dated September 12, 2007, in which you requested that the U.S. Nuclear Regulatory Commission (NRC) amend its regulations in Part 54 of Title 10 of the *Code of Federal Regulations*. Specifically, you requested that the NRC conduct a comprehensive review of U.S. nuclear power plant licensees' emergency planning during the license renewal proceedings. The NRC docketed the petition as PRM-54-5.

The NRC has considered the petition and your supporting rationale. For the reasons provided in the enclosed *Federal Register* notice, your petition is denied. The NRC is denying the petition because the petition presents issues that the Commission carefully considered when it first adopted the license renewal rule (December 13, 1991; 56 FR 64943), when it revised the final rule (May 8, 1995; 60 FR 22461), and when it denied petitions for rulemaking (December 13, 2006; 71 FR 74848) submitted by Andrew J. Spano, County Executive, Westchester County, New York (PRM-54-02), and Mayor Joseph Scarpelli of Brick Township, New Jersey (PRM-54-03). In essence, the Commission's position is that the NRC's emergency planning system is part of a comprehensive regulatory process that is intended to provide continuing assurance that emergency planning for every nuclear plant is adequate. Thus, the Commission has already extensively considered and addressed the types of issues raised in the petition. Also, the petition fails to present any significant new information or arguments that would warrant the rulemaking you have requested.

The *Federal Register* notice denying the petition is being transmitted to the Office of the *Federal Register* for publication.

Sincerely,

Annette L. Vietti-Cook

Enclosure:
Federal Register Notice
Denying Petition