

January 2, 2009

Mr. H. A. Sepp, Manager
Regulatory & Licensing
Westinghouse Electric Company Nuclear Services
P. O. Box 355
Pittsburgh, PA 15230-0355

SUBJECT: PETITION FOR RULEMAKING REGARDING REACTOR PRESSURE VESSEL
CLOSURE HEAD FLANGE TEMPERATURE REQUIREMENTS IN
10 CFR PART 50, APPENDIX G; PRM-50-69

Dear Mr. Sepp:

I am responding to the petition for rulemaking (PRM) dated November 4, 1999, that you submitted on behalf of Westinghouse Electric Company LLC, to the U.S. Nuclear Regulatory Commission (NRC). The petition was docketed as PRM-50-69 and requested that the NRC amend its regulations at Title 10 of the *Code of Federal Regulations* Part 50, Appendix G – Fracture Toughness Requirements. Specifically, you requested the NRC to remove footnotes (2) and (6) from Table 1 – Pressure and Temperature Requirements for the Reactor Pressure Vessel. This would eliminate minimum temperature requirements for the closure head flange regions.

A notice of receipt of the petition was published in the *Federal Register* on February 8, 2000 (65 FR 6044). The comment period closed on April 24, 2000. Thirteen comment letters were received, all in support of the petition.

In response to this petition, the NRC has determined that the issues raised in PRM-50-69 will be considered in the ongoing rulemaking activity directed at revising 10 CFR Part 50, Appendix G. This rulemaking is entitled, "Modifications to Pressure-Temperature Limits," in NUREG-0936, "NRC Regulatory Agenda: Semiannual Report," and is designated with rulemaking identification number RIN 3150-AG98. You can monitor further NRC action on this rulemaking activity at the Federal rulemaking portal, <http://www.regulations.gov>, by searching on rulemaking docket ID NRC-2008-0582. If the ongoing work to establish a technical basis for this rulemaking does not support the issuance of a proposed rule, the NRC will issue a supplemental *Federal Register* notice that addresses why your requested rulemaking changes were not adopted by the NRC.

H. Sepp

- 2 -

The enclosed *Federal Register* notice regarding PRM-50-69 is being transmitted to the Office of the Federal Register for publication. Publicly-available documents regarding PRM-50-69, including the public comments received, can be found at <http://www.regulations.gov> by searching on rulemaking docket ID NRC-2000-0019. With this resolution of your petition, the NRC closes the docket for PRM-50-69.

Sincerely,

/RA/

R. W. Borchardt
Executive Director
for Operations

Enclosure:
Federal Register Notice

H. Sepp

- 2 -

The enclosed *Federal Register* notice regarding PRM-50-69 is being transmitted to the Office of the Federal Register for publication. Publicly-available documents regarding PRM-50-69, including the public comments received, can be found at <http://www.regulations.gov> by searching on rulemaking docket ID NRC-2000-0019. With this resolution of your petition, the NRC closes the docket for PRM-50-69.

Sincerely,

/RA/

R. W. Borchardt
Executive Director
for Operations

Enclosure:
Federal Register Notice

DISTRIBUTION: EDATS: NRR-2008-0026

RidsNrrDprPfpb Resource RidsNrrAdes Resource
RidsNrrDpr Resource RidsNrrOd Resource
B. Miller RidsNrrAdro Resource
C. Fairbanks M. Mitchell

RidsOgcMailCenter Resource
RidsAdmMailCenter Resource
RidsEdoMailCenter Resource
R. Hardies

ADAMS Accession Nos.: ML083040153 (Letter); ML083040185 (FRN)

*via email

OFFICE	NRR/DPR/PFPB: PM	NRR/DPR/PFPB: BC	NRR/DCI/CVIB	NRR/DCI/CVIB: BC	RES/DE/CIB: BC
NAME	BMiller	RCarlson	CFairbanks	MMitchell	RHardies
DATE	10/30/2008	11/16/2008	11/04/2008	11/06/2008	11/03/2008
OFFICE	ADM/Tech Editor*	OGC/GCLR/RFC	NRR/DPR: DD	NRR	EDO
NAME	MLesar (BGolden for)	BJones	TMcGinty	ELeeds	RBorchardt
DATE	11/10/2008	12/04/2008	12/04/2008	12/19/2008	01/02/2009

OFFICIAL RECORD COPY