

April 20, 2011

Mr. Christopher E. Earls
Director, Security
Nuclear Generation Division
Nuclear Energy Institute
1776 I Street, NW, Suite 400
Washington, D.C. 20006

Dear Mr. Earls:

I am responding to your correspondence dated February 15, 2011, requesting that the U. S. Nuclear Regulatory Commission (NRC) extend by 90 days the public comment period for the: (1) proposed rulemaking, "Enhanced Weapons, Firearms Background Checks, and Security Event Notifications" (76 FR 6200) [NRC-2011-0018]; (2) draft "Weapons Safety Assessment" (76 FR 6087) [NRC-2011-0017]; (3) draft regulatory guide DG-5020, "Applying for Enhanced Weapons Authority, Applying for Preemption Authority, and Accomplishing Firearms Background Checks under 10 CFR Part 73" (76 FR 6086) [NRC-2011-0015]; and (4) revised regulatory guide DG-5019, "Reporting and Recording Safeguards Events" (76 FR 6085) [NRC-2011-0014]. Your request listed the following reasons for the comment period extension:

1. The Nuclear Energy Institute is coordinating the industry comments on the proposed rule and the associated documents to ensure that the comments are of high quality and that they reflect a consensus industry perspective.
2. The comment period provided in the February 3, 2011, *Federal Register* Notice is insufficient, given the complexity of the topical area and the number of documents associated with the rule.
3. Extending the comment period would provide the time necessary to more fully assess the content of the proposed ruling and associated documents and arrive at a set of comments that are of value to the NRC staff.

On February 3, 2011, the NRC published for public comment a proposed rule that would amend its current security regulations to allow nuclear power reactors and Category I strategic special nuclear material facilities access to enhanced weapons and to perform firearms background checks. In addition, supporting draft regulatory documents were published in the same issue of the *Federal Register* (FR). A 90-day comment period was provided for the proposed rule and the supporting regulatory documents; which is currently set to expire on May 4, 2011.

- 2 -

In view of the NRC's desire to receive high quality comments from external stakeholders, and recognizing the extenuating circumstances that may adversely impact the capability of external stakeholders to comment on the proposed rulemaking documents given ongoing activities which are competing for the same industry resources, the comment period for the proposed rule and the supporting draft regulatory documents will be extended for an additional 90 days. The comment period is extended from the original May 4, 2011, deadline to August 2, 2011. A notice of this extension of the comment period will also be published in the FR (enclosed).

Sincerely,

/RA/

Annette L. Vietti-Cook

Enclosure:
Federal Register Notice