

From: Inverso, Tara
Sent: Thursday, April 14, 2011 8:04 AM
To: arp@nei.org
Subject: Update on PRM-26-5

Dear Mr. Pietrangelo,

I am writing in regards to the letter dated September 3, 2010, by which the Nuclear Energy Institute (NEI) submitted a petition for rulemaking (PRM) to the U.S. Nuclear Regulatory Commission (NRC). NEI requested that the NRC amend its regulations regarding its fitness for duty programs to refine existing requirements based on experience gained since the regulations were implemented.

The NRC docketed your petition as PRM-26-5, and published a notice of receipt and request for comment on October 22, 2010. The public comment period closed on January 5, 2011. The NRC received 49 comment letters.

SECY-11-0003, "Status of Enforcement Discretion Request and Rulemaking Activities Related to 10 CFR Part 26, Subpart I, 'Managing Fatigue,'" dated January 4, 2011, (ADAMS Accession No. ML103420201) detailed the staff's plan to consider your PRM, as well as PRM-26-3 and PRM-26-6, in the planned Quality Control/Quality Verification (QC/QV) rulemaking activity. This plan was reiterated at the February 8, 2011, Commission meeting on the implementation of Subpart I.

The staff is preparing a *Federal Register* notice to close PRM-26-5's docket. You will also receive a letter at that time regarding that publication. From that point forward, you may monitor the QC/QV rulemaking at www.regulations.gov by searching docket ID: NRC-2009-0090.

Please feel free to contact me at Tara.Inverso@nrc.gov or (301)-415-1024 if you have questions.

Thank you,

Tara Inverso

Tara Inverso, Project Manager
Rulemaking Branch
O12-D21 / (301)-415-1024 / Tara.Inverso@nrc.gov