July 14, 2011

Mr. William Harris
56 Lime Street
Newburyport, MA 01950

Dear Mr. Harris:

This letter is in response to your June 17, 2011, email to Cindy K. Bladey of the Nuclear Regulatory Commission (NRC) supporting an extension to the deadline for comments on petition for rulemaking (PRM) 50-96 from July 20, 2011, to a date at least 30 days after expected public release of the NRC report on Fukushima Dai-ichi. Your request to extend the comment period is based upon the pendency of a Commission meeting and briefing on the NRC's Fukushima Task Force. Your email asserts that the topics in your PRM are similar to those being addressed by the Task Force, and an extended time period would give stakeholders time to consider findings from the Task Force Review in their comments. We have carefully considered your request, and have decided not to extend the comment period on PRM-50-96, as explained below.

As you know, the Fukushima Task Force focused on the events at the Fukushima Daiichi plant, which followed the occurrence of an earthquake and a seismically-induced tsunami. The Task Force Report was issued on July 12, 2011, (Agencywide Document Access and Management System Accession No. ML111861807). In the Executive Summary, the Task Force states that its recommendations "take a balanced approach to defense-in-depth as applied to low-likelihood, high-consequence events such as prolonged station blackout resulting from severe natural phenomena. These recommendations, taken together, are intended to clarify and strengthen the regulatory framework for protection against natural disasters, mitigation, and emergency preparedness, and to improve the effectiveness of the NRC's programs." In Recommendation 4, "[t]he Task force recommends that the NRC strengthen station blackout mitigation capability at all operating and new reactors for design-basis and beyond-design-basis external events."

During our evaluation of PRM-50-96, the NRC staff will take into consideration Task Force Recommendation 4 and subsequent Commission policy and direction. However, the technical aspects of the petition are related to the loss of spent fuel pool cooling resulting from the loss of the North American commercial power grid caused by severe space weather such as Coronal Mass Ejection and resulting geomagnetic disturbances. Because these issues were not considered by the Fukushima Task Force and because the NRC staff is already committed to addressing relevant Task Force policy issues, we do not believe that a delay in the comment period, due to the pendency of a Commission meeting and briefing on the NRC's Fukushima Task Force, is warranted.

However, as we indicated in the *Federal Register* Notice seeking public comments on PRM-50-96, the NRC will consider late-filed comments if it is practical to do so. We urge commenters to do so in as timely a manner as possible in order to ensure their consideration by the NRC.

Please reference docket number PRM-50-96 on any further correspondence you may have concerning the petition. You may view documents pertaining to your PRM at *Regulations.gov* under Docket Identification Number NRC-2011-0069.

Please direct any questions you may have concerning PRM-50-96 to me at 301-415-7198 (e-mail: Shana.Helton@nrc.gov).

Sincerely,

/RA/

Shana R. Helton, Chief
Rulemaking Branch
Division of Policy and Rulemaking
Office of Nuclear Reactor Regulation

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Sincerely,

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Shana R. Helton, Chief
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Division of Policy and Rulemaking
Office of Nuclear Reactor Regulation

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