

April 18, 2013

Ms. Jill Epstein
Executive Director
California Association of Marriage and Family Therapists
7901 Raytheon Road
San Diego, CA 92111-1606

Dear Ms. Epstein:

I am writing in regards to your letter dated March 13, 2013, by which you communicated your disappointment in the delays experienced with the resolution of your petition for rulemaking (PRM-26-4). Although the resolution of your petition has been a long process, the Nuclear Regulatory Commission (NRC) staff is considering the issues you raised in PRM-26-4 along with a host of other issues related to the fitness for duty program.

In a letter dated July 14, 2011, the NRC informed you of its decision to consider PRM-26-4 in the rulemaking process. In a letter dated May 17, 2012, the NRC informed you of its decision to resolve PRM-26-4 as part of the Part 26 Technical Issues and Editorial Changes rulemaking (Docket ID NRC-2012-0079), which is in its formative stages. The NRC staff is currently developing a comprehensive basis to determine the best regulatory path forward for all technical issues under consideration for this rulemaking, and this basis is scheduled to be complete in early 2014.

Once the regulatory basis is complete, all topics considered within this process and found to have sufficient basis for rulemaking will proceed to the proposed rule phase. The proposed rule phase typically lasts about one year, followed by publication of the proposed rule in the *Federal Register* and a public comment period. Completion of the final rule takes approximately one year from the conclusion of the public comment period, after which the NRC will publish the final rule in the *Federal Register*. The rulemaking process will ensure a proper basis is developed, the public is engaged, and the costs and benefits of the rulemaking are fully assessed to produce sound, reasonable, and enforceable public policy.

Please feel free to contact Mr. Scott Sloan of my rulemaking staff if you have any additional questions. He can be reached at Scott.Sloan@nrc.gov or (301) 415-1619.

Sincerely,

/RA/

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

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Shana R. Helton, Chief
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