

Paul M. Blanch
135 Hyde Road
W. Hartford, CT 06117

Dear Mr. Blanch:

I am responding to your submittal of June 18, 2012, by which you submitted to the U.S. Nuclear Regulatory Commission (NRC) a petition for rulemaking (PRM) (NRC Agencywide Documents Access and Management System (ADAMS) Accession No. ML12177A377). You asked the NRC to amend its regulations related to the environmental qualification of electrical equipment in nuclear power plants by changing the following parts of Title 10 of the *Code of Federal Regulations* (10 CFR):

- 10 CFR Part 50, "Domestic Licensing of Production and Utilization Facilities"
- 10 CFR Part 52, "Licenses, Certifications, and Approvals for Nuclear Power Plants"
- 10 CFR Part 54, "Requirements for Renewal of Operating Licenses for Nuclear Power Plants"
- 10 CFR Part 100, "Reactor Site Criteria"

Specifically, you requested **that** the NRC revise its regulations "to clearly and unequivocally require the environmental qualification of all safety-related cables, wires, splices, connections and other ancillary electrical equipment that may be subjected to submergence and/or moisture intrusion during normal operating conditions, severe weather, seasonal flooding, and seismic events, and post-accident conditions, both inside and outside of [a reactor's] containment [building]."

The NRC docketed the petition as PRM-50-106 and published a notice of receipt in the *Federal Register* on September 27, 2012 (77 FR 59345). The notice of receipt did not seek public comment on the petition.

After reviewing your petition, the NRC has determined that the petition has not provided an adequate basis upon which ~~the NRC could act~~ to amend ~~its~~ **the** regulations as requested. The agency is, therefore, denying your petition. This letter outlines the reasons for the denial. A more detailed discussion of the reasons for denial can be found in the enclosed *Federal Register* notice, which the NRC will submit to the Office of the Federal Register for publication.

The regulation in 10 CFR 50.49(e)(6), which you referred to in your petition, establishes environmental qualification requirements for electrical equipment in non-mild environments during accident conditions. Generic Letter 82-09 (ADAMS Accession No. ML031080281), which you also referenced in your petition, does not limit the applicability of 10 CFR 50.49 based on the location of the equipment. ~~In addition, the NRC has other regulations in place that address environmental qualification and maintenance of electrical equipment in non-mild environments.~~

The NRC also has regulations to address the oversight of electrical equipment that is important to safety. These regulations include 10 CFR 50.4965, Appendix A to 10 CFR Part 50, and Appendix B to 10 CFR Part 50 (for safety-related equipment). Finally, with regard to the reactors that received construction permits prior to May 21, 1971, after more than 15 years of careful and well-documented NRC staff review, the Commission determined in 1992 that these plants are operating safely with appropriately qualified important- to- safety equipment, and that no specific backfits of the General Design Criteria to these plants were required. The submitted information in the petition does not warrant support reversal of that determination. The NRC considers the has regulatory programs in place to ensure appropriate oversight of environmental qualification, maintenance, and testing of electrical equipment to be very important to the safe operation of nuclear power plants.

For the reasons discussed above, the NRC considers this petition closed.

If you have any questions regarding this matter, please contact Margaret Ellenson, Project Manager, by calling 301-415-0894 or by e-mailing Margaret.Ellenson@nrc.gov.

Sincerely,

Annette L. Vietti-Cook
Secretary of the Commission

Enclosure:
Federal Register notice

C. Jordan Weaver
Natural Resources Defense Council
1152 15th St NW., Suite 300
Washington, DC 20005

Dear Mr. Weaver:

I am responding to your submittal of June 18, 2012, by which you submitted to the U.S. Nuclear Regulatory Commission (NRC) a petition for rulemaking (PRM) (NRC Agencywide Documents Access and Management System (ADAMS) Accession No. ML12177A377). You asked the NRC to amend its regulations related to the environmental qualification of electrical equipment in nuclear power plants by changing the following parts of Title 10 of the *Code of Federal Regulations* (10 CFR):

- 10 CFR Part 50, “Domestic Licensing of Production and Utilization Facilities”
- 10 CFR Part 52, “Licenses, Certifications, and Approvals for Nuclear Power Plants”
- 10 CFR Part 54, “Requirements for Renewal of Operating Licenses for Nuclear Power Plants”
- 10 CFR Part 100, “Reactor Site Criteria”

Specifically, you requested **that** the NRC revise its regulations “to clearly and unequivocally require the environmental qualification of all safety-related cables, wires, splices, connections and other ancillary electrical equipment that may be subjected to submergence and/or moisture intrusion during normal operating conditions, severe weather, seasonal flooding, and seismic events, and post-accident conditions, both inside and outside of [a reactor’s] containment [building].”

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After reviewing your petition, the NRC has determined that the petition has not provided an adequate basis upon which ~~the NRC could act~~ to amend ~~its~~ **the** regulations as requested. The agency is, therefore, denying your petition. This letter outlines the reasons for the denial. A more detailed discussion of the reasons for denial can be found in the enclosed *Federal Register* notice, which the NRC will submit to the Office of the Federal Register for publication.

The regulation in 10 CFR 50.49(e)(6), which you referred to in your petition, establishes environmental qualification requirements for electrical equipment in non-mild environments during accident conditions. Generic Letter 82-09 (ADAMS Accession No. ML031080281), which you also referenced in your petition, does not limit the applicability of 10 CFR 50.49 based on the location of the equipment. ~~In addition, the NRC has other regulations in place that address~~

~~environmental qualification and maintenance of electrical equipment in non-mild environments.~~
The NRC also has regulations to address the oversight of electrical equipment that is important to safety. These regulations include 10 CFR 50.49~~65~~, Appendix A to 10 CFR Part 50, and Appendix B to 10 CFR Part 50 (for safety-related equipment). Finally, with regard to the reactors that received construction permits prior to May 21, 1971, after more than 15 years of careful and well-documented NRC staff review, the Commission determined in 1992 that these plants are operating safely with appropriately qualified important- to- safety equipment, and that no specific backfits of the General Design Criteria to these plants were required. The submitted information in the petition does not warrant support reversal of that determination. The NRC considers ~~the~~has regulatory programs in place to ensure appropriate oversight of environmental qualification, maintenance, and testing of electrical equipment ~~to be very~~ important to the safe operation of nuclear power plants.

For the reasons discussed above, the NRC considers this petition closed.

If you have any questions regarding this matter, please contact Margaret Ellenson, project manager, by calling 301-415-0894 or by e-mailing Margaret.Ellenson@nrc.gov.

Sincerely,

Annette L. Vietti-Cook
Secretary of the Commission

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Federal Register notice