

From: [Mark Leyse](#)
To: [RulemakingComments Resource](#); [PDR Resource](#); [Valliere, Nanette](#)
Subject: [External_Sender] Fwd: REPLY: Mark Leyse's Comments on Rulemaking Branch's Reviews of Two Rulemaking Petitions
Date: Monday, July 18, 2016 5:15:18 AM

Please place these e-mails into ADAMS. They concern a rulemaking petition I submitted in 2009 (PRM-50-93) and a 2.206 petition I submitted in 2010 that the NRC staff subsequently made into a rulemaking petition (PRM-50-95). The petitions are in rulemaking docket NRC-2009-0554.

Thank you,

Mark Leyse

----- Forwarded message -----

From: **Gilles, Nanette** <Nanette.Gilles@nrc.gov>
Date: Wed, Jun 4, 2014 at 2:13 PM
Subject: RE: REPLY: Mark Leyse's Comments on Rulemaking Branch's Reviews of Two Rulemaking Petitions
To: "markleyse@gmail.com" <markleyse@gmail.com>
Cc: "Sosa, Belkys" <Belkys.Sosa@nrc.gov>, "Blake, Kathleen" <Kathleen.Blake@nrc.gov>

Mr. Leyse,

In response to your comments during the meeting at the Natural Resources Defense Council (NRDC) offices earlier this year concerning the status of several of your petitions for rulemaking, Commissioner Apostolakis recently requested a meeting with the cognizant staff in the Office of Nuclear Reactor Regulation, the Office of Nuclear Regulatory Research, and the Office of the General Counsel. In that meeting, the technical experts reviewing your petitions explained in great detail how they are being responsive to your concerns. Understanding that there are resource constraints on the staff and that they must prioritize their work, the Commissioner was pleased to see that the staff is carefully reviewing all the technical concerns you identified in your petitions, and that draft interim reviews have been issued as they complete their evaluations of specific technical concerns, addressing the most safety-significant issues first. He understands that at least four such draft interim reviews have been issued to date. Given the breadth and depth of the technical issues raised in your petitions, the staff adjusted the NRC's petition review process to be more responsive to you, as the petitioner, and to be more efficient with their evaluation of your concerns in the long term. He also understands that the staff is reviewing all of the testing and work that you have cited and that the staff has also completed additional confirmatory analysis and reviewed the work conducted by independent technical experts.

The staff acknowledged that they were still working on the assessments of some of the concerns you raised in the January 2013 Commission meeting as part of the review of your petitions.

Finally, he understands that you have accepted an invitation to make a presentation during a public meeting on the NRC's proposed rulemaking on Performance-Based Emergency Core Cooling Systems Cladding Acceptance Criteria (also known as the 10 CFR 50.46c proposed rule). The Commissioner values your contributions to the development of the final ECCS requirements and your willingness to take the time to provide the NRC with your insights.

The Commissioner appreciates your participation in the meeting and that of your colleagues and wishes to convey the importance of your participation in our regulatory processes.

Sincerely,

Nanette V. Gilles

Technical Assistant for Reactors

Office of Commissioner Apostolakis

U.S. Nuclear Regulatory Commission

nanette.gilles@nrc.gov

[301-415-1801](tel:301-415-1801)

From: Mark Leyse [<mailto:markleyse@gmail.com>]

Sent: Friday, May 02, 2014 4:57 PM

To: Blake, Kathleen

Cc: Sosa, Belkys

Subject: Re: REPLY: Mark Leyse's Comments on Rulemaking Branch's Reviews of Two Rulemaking Petitions

Thank you!

On Fri, May 2, 2014 at 4:36 PM, Blake, Kathleen <Kathleen.Blake@nrc.gov> wrote:

Dear Mr. Leyse:

The Commissioner wanted me to let you know that he has requested a meeting with appropriate NRC staff handling your PRM to discuss their efforts to implement Commission direction from the SRM from the 1/31/13 Commission meeting on public participation, which stated:

“The staff should consider and respond to Mark Leyse’s comments regarding his petition for rulemaking PRM-50-93 in its review of that petition.”

The appropriate point of contact will contact you after the Commissioner’s meeting with the staff handling your PRM.

He appreciates you bringing your concerns to his attention and will seek to understand those issues.

Kathleen M. Blake

Administrative Assistant

to Commissioner Apostolakis

U.S. Nuclear Regulatory Commission

11555 Rockville Pike

Rockville, Maryland 20852

[301-415-1810](tel:301-415-1810)

From: Mark Leyse [<mailto:markleyse@gmail.com>]

Sent: Thursday, April 17, 2014 4:39 PM
To: Blake, Kathleen
Cc: Sosa, Belkys; Gilles, Nanette
Subject: Re: REPLY: Mark Leyse's Comments on Rulemaking Branch's Reviews of Two Rulemaking Petitions

Dear Kathleen:

Thank you. Yes; that's fine.

Mark

On Thu, Apr 17, 2014 at 3:37 PM, Blake, Kathleen <Kathleen.Blake@nrc.gov> wrote:

Mark:

The Commissioner would like to have further internal discussions. May we get back to you within the next 10 days? kb

Kathleen M. Blake

Administrative Assistant

to Commissioner Apostolakis

U.S. Nuclear Regulatory Commission

11555 Rockville Pike

Rockville, Maryland 20852

[301-415-1810](tel:301-415-1810)

From: Mark Leyse [mailto:markleyse@gmail.com]

Sent: Sunday, April 13, 2014 10:42 AM

To: Blake, Kathleen

Subject: Mark Leyse's Comments on Rulemaking Branch's Reviews of Two Rulemaking Petitions

Dear Kathleen:

I have attached my comments on the rulemaking branch's draft interim reviews of two rulemaking petitions: PRM-50-93 and PRM-50-95. I highlight some of the pertinent information that I submitted in the rulemaking petitions and in public comments on them, which were not considered in the rulemaking branch's reviews. And I also discuss problems with the TRACE computer code simulations of an experiment (FLECHT run 9573).

I realize that my comments are pretty long, so I would recommend first reading Section III (pages 15-20).

(The four rulemaking branch's draft interim reviews of PRM-50-93 and PRM-50-95 are in ADAMS Documents, with accession numbers: ML112211930, ML112650009, ML12265A277, and ML13067A261.)

I would be happy to answer any questions that you or others may have.

Thank you,

Mark