

September 12, 2016

Mr. Mark E. Leyse  
P.O. Box 1314  
New York, NY 10025

Dear Mr. Leyse:

On behalf of the U.S. Nuclear Regulatory Commission (NRC), I am responding to your email dated August 8, 2016, regarding the Commission's denial of your petition for rulemaking. Your petition requested amendments regarding spent fuel pool severe accident evaluations. The Commission carefully reviewed your petition and determined that the annual evaluations you requested are not needed for regulatory oversight of spent fuel pool safety. Therefore, it is not necessary for the NRC to establish requirements for conducting the evaluations. This rationale is explained in greater detail in our May 5, 2016, response to your petition.

Your letter refers to deletions made by the Commission in reviewing the draft *Federal Register* notice related to your petition. The information that the Commission deleted was not essential to conveying the basis for the denial decision, which is why the Commission removed the information and replaced it with references to other NRC documents. These documents contain additional information about MELCOR modeling of spent fuel pool accidents and include the information that was deleted from the draft *Federal Register* notice.

The NRC will continue to evaluate available information from testing programs, international activities, and other sources to validate and improve analysis tools such as MELCOR. The NRC will also continue to address uncertainties in the analysis tools when they are used to support regulatory decisions.

Thank you for our feedback. The Commission appreciates the participation of members of the public in its regulatory processes.

Sincerely,

/RA/

Stephen G. Burns