

Mr. Bob Christie
Performance Technology
2400 Trillium Lane
Knoxville, TN 37920

Dear Mr. Christie:

I am responding to the petition for rulemaking (PRM) dated May 2, 2002, that you submitted to the U.S. Nuclear Regulatory Commission (NRC) (Agencywide Documents Access and Management System (ADAMS) Accession No. ML082530041). The petition was docketed as PRM-50-77 and requested that the NRC amend its regulations in Appendix A of Part 50 of Title 10 of the *Code of Federal Regulations* (10 CFR). Specifically, you proposed changes to several general design criteria that would eliminate the requirement for assuming a loss of offsite power (LOOP) coincident with postulated accidents. You stated that this would alleviate the need for fast start time requirements for emergency diesel generators and eliminate operator training that focuses on these unrealistic events.

A notice of receipt and request for comment on the PRM was published in the *Federal Register* (FR) on June 13, 2002 (67 FR 40622). The comment period closed on August 27, 2002, and the NRC received one comment letter in support of the petition.

In response to this petition, the NRC determined that the issues raised in PRM-50-77 would be considered in a rulemaking activity directed at decoupling an assumed LOOP from a coincident loss-of-coolant accident (LOCA) as currently required by 10 CFR Part 50, Appendix A, General Design Criterion 35. This rulemaking activity was entitled "Decoupling an Assumed Loss of Offsite Power from a Loss-Of-Coolant Accident," or the LOOP/LOCA rulemaking (RIN 3150-AH43; NRC-2008-0602). The NRC closed PRM-50-77 on April 13, 2009 (74 FR 16802), and notified you of this action in a letter dated March 26, 2009 (ADAMS Accession No. ML090060891).

The Commission has discontinued rulemaking activities related to the LOOP/LOCA rulemaking. The current regulations continue to provide adequate protection of public health and safety and the proposed safety enhancement would have had a minimal practical impact on safety. The Commission is therefore denying PRM-50-77 per 10 CFR 2.803(i)(2). As provided at

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10 CFR 2.803(i)(2), the NRC has decided not to complete the rulemaking action and is documenting this denial of the PRM in the docket for the closed PRM. For additional information, please see the enclosed *Federal Register* notice.

Sincerely,

Annette L. Vietti-Cook,
Secretary of the Commission

Enclosure:
Federal Register Notice

DENIAL OF PETITION FOR RULEMAKING (PRM-50-77; NRC-2002-0020) DATED: _____

ADAMS Accession Numbers: Ltr: ML16341A830 FRN: ML16341A823 *Via E-Mail

OFFICE	NRR/DPR/PRMB/PM	NRR/DPR/PRMB/RS	NRR/DPR/PRMB/BC	NRR/DPR/D
NAME	RBeall	GLappert	MKhanna	LLund
DATE	11/29/2016	12/08/2016	12/07/2016	12/15/2016
OFFICE	NRR/DRA/D*	NRR/DE/D*	NRR/DSS/D*	NRO/DSRA/D*
NAME	JGitter	JLubinski	TMcGinty (EOesterle for)	JMonninger
DATE	12/12/2016	12/14/2016	12/15/2016	12/14/2016
OFFICE	ADM/DAS/RADB/BC*	OGC (NLO)*	NRR: D	EDO
NAME	CBladey (CLeatherbury for)	OMikula	WDean (BMcDermott for)	VMcCree
DATE	12/15/2016	01/09/2017	01/19/2017	01/26/2017
OFFICE	SECY			
NAME	AVietti-Cook			
DATE				

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