

Camille Zozula, Manager
Infrastructure & Facilities Licensing
Westinghouse Electric Company LLC
1000 Westinghouse Drive
Cranberry Township, Pennsylvania 16066.

Dear Ms. Zozula:

I am responding to the [petition for rulemaking](#) (PRM) dated November 4, 1999 (Agencywide Document Access and Management System (ADAMS) Accession No. [ML003683190](#)), that was submitted on behalf of Westinghouse Electric Company LLC (Westinghouse), to the U.S. Nuclear Regulatory Commission (NRC). The petition was docketed as PRM-50-69 and requested that the NRC amend its regulations at Title 10 of the *Code of Federal Regulations* Part 50, Appendix G – Fracture Toughness Requirements. Specifically, the PRM requested the removal of footnotes (2) and (6) from Table 1 – Pressure and Temperature Requirements for the Reactor Pressure Vessel. This would eliminate minimum temperature requirements for the closure head flange regions. In response to this petition, the NRC determined that the issues raised in PRM-50-69 would be considered in the ongoing rulemaking effort entitled, “Modifications to Pressure-Temperature Limits” (Appendix G rulemaking).

On January 28, 2009, the NRC published a *Federal Register* notice ([74 FR 4911](#)) stating that the NRC would consider the issues raised in PRM 50-69 in an ongoing rulemaking to revise Appendix G. The notice stated that if the ongoing work to establish a technical basis for the rulemaking did not support the issuance of a proposed rule, the NRC would issue a supplemental *Federal Register* notice that addresses why the NRC did not adopt the petitioner’s requested rulemaking changes. In a January 2, 2009, letter (ADAMS Accession No. [ML083040153](#)), the NRC notified Westinghouse of this action.

In staff requirements memorandum (SRM)-SECY-16-0009, “Staff Requirements – SECY-16-0009 – Recommendations Resulting from the Integrated Prioritization and Re-Baselining of Agency Activities,” dated April 13, 2016 (ADAMS Accession No. [ML16104A158](#)), the Commission approved the discontinuation of the Appendix G rulemaking effort, which addressed PRM-50-69, as discussed above. As explained in SECY-16-0009, “Recommendations Resulting from the Integrated Prioritization and Re-Baselining of Agency Activities,” dated January 31, 2016 (ADAMS Accession No. [ML16028A208](#)), the NRC determined that the research has not established any new information that would serve as the technical basis to revise 10 CFR Part 50, Appendix G. Therefore, the Commission is denying PRM-50-69 in accordance with 10 CFR 2.803(i)(2). For additional information, please see the enclosed *Federal Register* notice.

Sincerely,

Annette L. Vietti-Cook,
Secretary of the Commission

Enclosure:
Federal Register Notice