



OFFICE OF THE
SECRETARY

UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

Mr. Doug True
Nuclear Energy Institute
1201 F Street, NW, Suite 1100
Washington DC 20004-1218

Dear Mr. True:

I am responding to the petition for rulemaking (PRM) dated September 3, 2010, (Agencywide Documents Access and Management System (ADAMS) Accession No. ML102590440), that was submitted by Mr. Anthony R. Pietrangelo on behalf of the Nuclear Energy Institute (NEI) to the U.S. Nuclear Regulatory Commission (NRC). The petition was docketed as PRM-26-5 and requested that the NRC amend its regulations to refine existing requirements based on experience gained since the regulations were last amended in 2008.

In response to this petition, the NRC initially determined that the issues raised in PRM-26-5 would be considered in a rulemaking activity titled, "Quality Control/Quality Verification" (QC/QV) (Docket ID: NRC-2009-0090) and published a *Federal Register* notice (76 FR 28192) on May 16, 2011 to this effect. In a letter dated April 30, 2011 (ADAMS Accession No. ML110450593), the NRC notified Mr. Pietrangelo of this action. On December 9, 2015, the NRC published a notice in the *Federal Register* discontinuing the QC/QV rulemaking (80 FR 76394). Under 10 C.F.R. 2.803(i)(2), if the NRC decides not to complete a rulemaking, any associated PRM is documented as denied. Therefore, the NRC is denying PRM-26-5 without prejudice as a procedural matter under 10 CFR 2.803(i)(2). Because this is a denial without prejudice, this PRM may be resubmitted under 10 CFR 2.802 for further consideration of the issues raised. For additional information, please see the enclosed *Federal Register* notice.

Sincerely,

Annette L. Vietti-Cook,
Secretary of the Commission.

Enclosure:

Federal Register notice As stated