

IN THE UNITED STATES COURT OF APPEALS
FOR THE DISTRICT OF COLUMBIA CIRCUIT

GEORGE BERKA,)	
)	
Petitioner,)	
)	
v.)	No. 21-1134
)	
UNITED STATES NUCLEAR)	
REGULATORY COMMISSION and)	
the UNITED STATES OF AMERICA,)	
Respondents.)	

CERTIFIED INDEX OF THE RECORD

I certify to the best of my knowledge and belief that the documents listed on the attached index constitute the record before the agency relating to the denial of the Petitioner's petition for rulemaking (PRM-50-117), which was published in the *Federal Register* on May 6, 2021 (86 Fed. Reg. 24,362).



Respectfully Submitted,

Annette L. Vietti-Cook
Secretary of the Commission

Dated at Rockville, Maryland
this 21st day of July 2021

CERTIFIED INDEX OF THE RECORD
GEORGE BERKA v. US NUCLEAR REGULATORY COMMISSION

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RECORD ID	DOCUMENT DESCRIPTION	DOCUMENT DATE	ACCESSION NUMBER
1	NRC Letter to RGA Labs, Inc.	10/21/2014	ML14288A407
2	Letter from Mr. David A. Kraft of Nuclear Energy Information Service, June 16, 2016	06/16/2016	ML16175A449
3	NRC Letter to Mr. David A. Kraft of Nuclear Energy Information Service	08/04/2016	ML16218A266
4	Regulatory Analysis for Regulatory Basis for Regulatory Improvements for Power Reactors Transitioning to Decommissioning, January 2018	01/31/2018	ML17332A075
5	PRM-50-117 - Petition of George Berka to Revise the Criteria to Return Retired Nuclear Power Reactors to Operations.	12/26/2018	ML19050A507
6	12/31/2018: NRC Acknowledgement of Receipt; Request for Petition Submitted December 26, 2018 [10 CFR Part 52].	12/31/2018	ML20072P263
7	02/21/19 - PRM-50-117 - Letter to George Berka Re: Docketing of Petition for Rulemaking and Sufficiency Review Status (10 CFR Part 50 and Part 52), submitted on December 26, 2018.	02/21/2019	ML19035A702
8	Enclosure: Notice of docketing of peititon (PRM-50-117).	07/23/2019	ML19052A525
9	Letter to George Berka, Petitioner, responding to his petition that the NRC revise regulations in 10 CFR Part 52, "Licenses, Certifications, and Approvals for..." (PRM-50-117).	07/23/2019	ML19052A526
10	Federal Register Notice, Petition for rulemaking; notice of docketing and request for comment on Criteria to Return Retired Nuclear Power Reactors to Operations	07/26/2019	84 FR 36036; July 26, 2019
11	Comment (001) of David LeClear on PRM-50-117- Petition of George Berka to Revise the Criteria to Return Retired Nuclear Power Reactors to Operations.	07/29/2019	ML19211A998
12	Comment (002) of Alan Medsker on PRM-50-117- Petition of George Berka to Revise the Criteria to Return Retired Nuclear Power Reactors to Operations.	07/29/2019	ML19211B061
13	Comment (003) of William Kutcher on PRM-50-117- Petition of George Berka to Revise the Criteria to Return Retired Nuclear Power Reactors to Operations.	07/29/2019	ML19211B069

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14	07/30/2019, Congressional Letters from Eugene Dacus Provides the Federal Register Notice on Petition for Rulemaking; Notice of Docketing, Criteria to Return Retired Nuclear Power Reactors to Operations [PRM-50-117].	07/30/2019	ML19035A703
15	Comment (004) of Carl Wurtz on PRM-50-117- Petition of George Berka to Revise the Criteria to Return Retired Nuclear Power Reactors to Operations.	08/01/2019	ML19214A057
16	Comment (005) of Amanda Fogarty on PRM-50-117- Petition of George Berka to Revise the Criteria to Return Retired Nuclear Power Reactors to Operations.	08/07/2019	ML19219A226
17	Comment (006) of Evan Schulteis on PRM-50-117- Petition of George Berka to Revise the Criteria to Return Retired Nuclear Power Reactors to Operations.	08/13/2019	ML19226A080
18	Comment (007) of John Molitoris on PRM-50-117- Petition of George Berka to Revise the Criteria to Return Retired Nuclear Power Reactors to Operations.	08/13/2019	ML19226A081
19	Comment (008) of Phil Couture on Behalf of Entergy Nuclear Operations, Inc. on PRM-50-117- Petition of George Berka to Revise the Criteria to Return Retired Nuclear Power Reactors to Operations.	08/13/2019	ML19226A084
20	Comment (009) of Steven Curtis on PRM-50-117- Petition of George Berka to Revise the Criteria to Return Retired Nuclear Power Reactors to Operations.	08/14/2019	ML19226A140
21	Comment (010) of George Erickson on PRM-50-117- Petition of George Berka to Revise the Criteria to Return Retired Nuclear Power Reactors to Operations.	08/15/2019	ML19232A242
22	Comment (011) of Philip Carlson on PRM-50-117- Petition of George Berka to Revise the Criteria to Return Retired Nuclear Power Reactors to Operations.	08/16/2019	ML19232A270
23	Comment (012) of Eric Brundick on PRM-50-117- Petition of George Berka to Revise the Criteria to Return Retired Nuclear Power Reactors to Operations.	09/20/2019	ML19266A609
24	Comment (013) of Mike Cruger on PRM-50-117- Petition of George Berka to Revise the Criteria to Return Retired Nuclear Power Reactors to Operations.	09/20/2019	ML19266A610

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25	Comment (014) of Dawn Wallander on PRM-50-117- Petition of George Berka to Revise the Criteria to Return Retired Nuclear Power Reactors to Operations.	09/21/2019	ML19266A611
26	Comment (015) of Helen Duquette on PRM-50-117- Petition of George Berka to Revise the Criteria to Return Retired Nuclear Power Reactors to Operations.	09/21/2019	ML19266A612
27	Comment (016) of John Bolduc on PRM-50-117- Petition of George Berka to Revise the Criteria to Return Retired Nuclear Power Reactors to Operations.	09/21/2019	ML19266A613
28	Comment (017) of Gene Nelson on PRM-50-117- Petition of George Berka to Revise the Criteria to Return Retired Nuclear Power Reactors to Operations.	09/22/2019	ML19267A170
29	Comment (018) of Mark Miller on PRM-50-117- Petition of George Berka to Revise the Criteria to Return Retired Nuclear Power Reactors to Operations.	09/22/2019	ML19267A171
30	Comment (019) of Steven Curtis on PRM-50-117- Petition of George Berka to Revise the Criteria to Return Retired Nuclear Power Reactors to Operations.	09/22/2019	ML19267A172
31	Comment (020) of Ray Sundby on PRM-50-117- Petition of George Berka to Revise the Criteria to Return Retired Nuclear Power Reactors to Operations.	09/22/2019	ML19267A173
32	Comment (021) of Rod Coenen on PRM-50-117- Petition of George Berka to Revise the Criteria to Return Retired Nuclear Power Reactors to Operations.	09/23/2019	ML19267A174
33	Comment (022) of Meredith Angwin on PRM-50-117- Petition of George Berka to Revise the Criteria to Return Retired Nuclear Power Reactors to Operations.	09/23/2019	ML19267A175
34	Comment (023) of Alexander Cannara on PRM-50-117- Petition of George Berka to Revise the Criteria to Return Retired Nuclear Power Reactors to Operations.	09/23/2019	ML19267A176
35	Comment (025) of Rudy Stefenel on PRM-50-117- Petition of George Berka to Revise the Criteria to Return Retired Nuclear Power Reactors	09/24/2019	ML19282B357

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36	Comment (026) of James E. Hopf on PRM-50-117- Petition of George Berka to Revise the Criteria to Return Retired Nuclear Power Reactors to Operations.	09/25/2019	ML19282B358
37	Comment (024) of Anonymous on PRM-50-117- Petition of George Berka to Revise the Criteria to Return Retired Nuclear Power Reactors to Operations.	09/26/2019	ML19269E223
38	Comment (027) of Eleanor Etter on PRM-50-117- Petition of George Berka to Revise the Criteria to Return Retired Nuclear Power Reactors.	09/26/2019	ML19282B350
39	Comment (029) of Ross Nizlek on PRM-50-117- Petition of George Berka to Revise the Criteria to Return Retired Nuclear Power Reactors to Operations.	09/27/2019	ML19282B353
40	Comment (030) of Shane Day on PRM-50-117- Petition of George Berka to Revise the Criteria to Return Retired Nuclear Power Reactors to Operations.	09/28/2019	ML19282B354
41	Comment (031) of Jonathan Appelbaum on PRM-50-117- Petition of George Berka to Revise the Criteria to Return Retired Nuclear Power Reactors.	10/02/2019	ML19282B356
42	Comment (028) of Timothy Crook on PRM-50-117- Petition of George Berka to Revise the Criteria to Return Retired Nuclear Power Reactors.	10/09/2019	ML19282B352
43	Comment (032) of Mary Rynski on PRM-50-117- Petition of George Berka to Revise the Criteria to Return Retired Nuclear Power.	10/09/2019	ML19283B644
44	Comment (033) of Anonymous on PRM-50-117- Petition of George Berka to Revise the Criteria to Return Retired Nuclear Power.	10/10/2019	ML19283B645
45	Public Meeting Notice: Potential Regulatory Frameworks for Power Reactors	02/12/2020	ML20043F003
46	02/25/2020 Topics for Discussion for Public Meeting On Potential Regulatory Frameworks for Power Reactors.	02/25/2020	ML20049A022
47	02/25/2020 Slides for Public Meeting on Potential Regulatory Frameworks for Power Reactors	02/25/2020	ML20049A023
48	02/25/2020 - Category 3 Public Meeting Transcript Re: Potential Regulatory Frameworks for Power Reactors.	02/25/2020	ML20072H393

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RECORD ID	DOCUMENT DESCRIPTION	DOCUMENT DATE	ACCESSION NUMBER
49	Public Meeting Summary: Category 3 Public Meeting Summary RE: Potential Regulatory Frameworks for Power Reactors	03/25/2020	ML20072H288
50	Response to Inquiry 06172020 Petition for Rulemaking, Criteria to Return Retired Nuclear Power Reactors to Operations	06/17/2020	ML20170B135
51	NRC Response to Public Comments for PRM-50-117	10/28/2020	ML20205L311
52	SECY-20-0110: Denial of Petition for Rulemaking on Criteria to Return Retired Nuclear Power Reactors to Operations (PRM 50 117; NRC-2019-0063)	12/07/2020	ML20205L305
53	SECY-20-0110: Enclosure 1 - Federal Register Notice - Denial of Petition for Rulemaking on Criteria to Return Retired Nuclear Power Reactors to Operations (PRM 50 117; NRC-2019-0063)	12/07/2020	ML20205L307
54	SECY-20-0110: Enclosure 2 - Letter to the Petitioner - Denial of Petition for Rulemaking on Criteria to Return Retired Nuclear Power Reactors to Operations (PRM 50 117; NRC-2019-0063)	12/07/2020	ML20205L309
55	SRM-SECY-20-0110: Denial of Petition for Rulemaking on Criteria to Return Retired Nuclear Power Reactors to Operations (PRM 50 117; NRC-2019-0063) (1 page(s), 4/1/2021)	04/01/2021	ML21091A231
56	SRM-SECY-20-0110: Enclosure 1 - Petition for Rulemaking, Denial Edits	04/01/2021	ML21091A232
57	SRM-SECY-20-0110: Enclosure 2 - Letter to the Petitioners with Edits	04/01/2021	ML21091A233
58	Letter to Petitioner G. Berka RE: Denial of Petition for Rulemaking on Criteria to Return Retired Nuclear Power Reactors to Operations	05/03/2021	ML21097A143
59	PRM-50-117 - Denial Congressional Correspondence - RE: Criteria to Return Retired Nuclear Power Reactors to Operations.	05/04/2021	ML20205L361
60	Federal Register Notice, Denial of Petition for Rulemaking on Criteria to Return Retired Nuclear Power Reactors to Operations	05/06/2021	86 FR 24362; May 6, 2021

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61	06/01/2021 - PRM-50-117 - E-mail from CBladey to GBerka, Petitioner, RE: Criteria to Return Retired Nuclear Power Reactors to Operations.	06/01/2021	ML21172A255