



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

October 20, 2021

Bobby Vaughn
E-mail: upandout@hush.com

SUBJECT: LETTER TO PETITIONER WITH THE RESULTS OF THE SUFFICIENCY REVIEW FOR THE PETITION FOR RULEMAKING SUBMITTED BY B. VAUGHN (10 CODE OF FEDERAL REGULATIONS PART 40): REQUIRE A PROTECTIVE ENCLOSURE FOR EACH DRUM AND CYLINDER TO REDUCE OR ELIMINATE WEATHER DAMAGE FOR THE HONEYWELL FUEL CYCLE FACILITY IN METROPOLIS, ILLINOIS

Dear Bobby Vaughn:

I am responding to your correspondence to the U.S. Nuclear Regulatory Commission (NRC) dated September 17, 2021.¹ In this correspondence, you state that you are submitting a rulemaking petition for the Honeywell Fuel Cycle Facility, located in Metropolis, Illinois. You propose that all drum and cylinder yards become enclosed in a protective enclosure to reduce or eliminate weather damage. You also state that this change would ensure that the citizens of Metropolis and the surrounding area are much more protected from possible corrosion and movement of the drum and cylinder yards.

The NRC reviewed your request and concluded that the information you provided does not meet the Commission's criteria for a petition for rulemaking under 10 *Code of Federal Regulations* (CFR) 2.802(c). Specifically, your request does not—

- Present the specific circumstances in which the NRC's rules are incorrect, incomplete, inadequate, or unnecessarily burdensome;
- Cite, enclose, or reference publicly available technical, scientific, or other data or information to support your assertion of the identified problems or issues; and
- Provide an analysis, discussion, or argument that explains how the proposed solution solves the problems or issues you have identified or cite, enclose, or reference any other publicly available data or information to support your proposed solution.

Because your correspondence does not meet the criteria for a petition for rulemaking, the NRC will not consider your request unless you provide additional information, as described in the NRC's regulations. In addition, your request does not explain why rulemaking is the most favorable approach to address the problem or issue, as opposed to other NRC actions such as licensing, issuance of an order, or referral to another Federal or State agency. Although not required for docketing, this information often assists the NRC in its evaluation of incoming petitions.

¹ Available in the NRC's Agencywide Documents Access and Management System under Accession No. ML21271A645.

For the reasons discussed above, your September 17, 2021, correspondence does not satisfy the requirements of 10 CFR 2.802(c) and, therefore, cannot be docketed as a petition by the NRC, as provided for in 10 CFR 2.803(b). If you wish the NRC to consider your request that the agency amend its regulations, additional information to supplement your correspondence is needed.

The NRC offers members of the public opportunity to consult with agency staff before and after filing a petition for rulemaking. If you wish to pursue a petition for rulemaking with the NRC, please contact Cindy Bladey, Chief, Regulatory Analysis and Rulemaking Support Branch, Division of Rulemaking, Environmental, and Financial Support, Office of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission. You may reach Ms. Bladey by phone at 301-415-3280 (toll-free at 1-800-368-5642) or by e-mail at Cindy.Bladey@nrc.gov.

Sincerely,



Signed by Coyne, Kevin
on 10/20/21

Kevin Coyne, Deputy Director
Division of Rulemaking, Environmental,
and Financial Support,
Office of Nuclear Material Safety
and Safeguards