



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

May 1, 2025

Thomas Popik  
Foundation for Resilient Societies  
1 Chestnut Street, Suite 335  
Nashua, NH 03060

Dear Mr. Thomas Popik:

This letter is in reference to the petition for rulemaking (PRM) that you submitted to the U.S. Nuclear Regulatory Commission (NRC) on March 14, 2011, on behalf of the Foundation for Resilient Societies (Agencywide Documents Access and Management System (ADAMS) Accession No. ML110750145). The petition, docketed by the NRC as PRM-50-96, requested that the NRC amend its regulations to require facilities licensed under Title 10 of the *Code of Federal Regulations* (10 CFR) Part 50, "Domestic Licensing of Production and Utilization Facilities," to ensure long-term cooling and unattended water makeup of spent fuel pools.

On December 18, 2012, the NRC published a *Federal Register* notice (77 FR 74788) stating that the agency would, in a phased approach, consider the PRM issues in the NRC rulemaking process. These regulatory efforts were integrated into the "Mitigation of Beyond-Design-Basis Events" (MBDBE) final rule. On August 9, 2019, the NRC published the MBDBE final rule (84 FR 39684), which partially resolved this PRM because it requires, in part, that licensees have plans to acquire offsite resources during an extended loss of alternating current power. The preamble to the MBDBE final rule indicated that the NRC would address the remaining issues in PRM-50-96 following the completion of the MBDBE rulemaking.

The NRC has now assessed the underlying technical and policy issues relevant to PRM-50-96 and determined that continuing with rulemaking would not further improve public health and safety. Therefore, the NRC is denying PRM-50-96 in accordance with 10 CFR 2.803(i)(2). For additional information, please see the enclosed *Federal Register* notice.

Sincerely,

Carrie M. Safford,  
Secretary of the Commission

Enclosure:  
*Federal Register* notice