



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

Thomas A. Bergman
NuScale Power, LLC
1100 NE Circle Blvd., Suite 200
Corvallis, OR 97330

Dear Thomas A. Bergman:

I am responding to your petition for rulemaking (PRM) dated August 19, 2019, submitted on behalf of NuScale Power, LLC (Agencywide Documents Access and Management System Accession No. ML19254B848). You requested that the U.S. Nuclear Regulatory Commission (NRC) amend its regulations in Part 50 of Title 10 of the *Code of Federal Regulations* (10 CFR), "Domestic Licensing of Production and Utilization Facilities," to "alleviate an unnecessarily burdensome requirement for calculating the mean value of the transition temperature shift" and ~~requested~~ that the NRC amend its regulations such "that the formula for calculating the mean value of the transition temperature shift described in American Society for Testing and Materials (ASTM) E900-15 be added for use as an alternative to Equation 3 in 10 CFR 50.61(c)(1)(iv)."

The NRC docketed the petition as PRM-50-120. The NRC published a notice of docketing and request for public comment in the *Federal Register* on November 19, 2019 (84 FR 63819). The comment period closed on December 19, 2019. The NRC received six public comment submissions that are available at <https://www.regulations.gov> under Docket ID NRC-2019-0180.

For the reasons provided in the enclosed *Federal Register* notice, the NRC is denying PRM-50-120. Upon publication of the enclosed notice, the NRC will close the docket for PRM-50-120.

You may direct any questions regarding this matter to ~~James O'Driscoll~~[Aaron Kwok](#) at 301-415-1325 or by e-mailing ~~James.O'Driscoll~~Aaron.Kwok@nrc.gov.

Sincerely,

~~Annette L. Vietti-Cook~~[Carrie M. Safford](#)
Secretary of the Commission

Enclosure:
Federal Register notice