

March 22, 2013

MEMORANDUM TO: R. W. Borchardt  
Executive Director for Operations

FROM: Kenneth R. Hart, Acting Secretary **/RA/**

SUBJECT: STAFF REQUIREMENTS – SECY-12-0160 – PROPOSED RULE:  
PETITION FOR RULEMAKING PROCESS (RIN 3150-AI30);  
EXPANDED AUTHORITY OF EXECUTIVE DIRECTOR FOR  
OPERATIONS TO DENY PETITIONS FOR RULEMAKING  
UNDER MANAGEMENT DIRECTIVE 6.3

The Commission has approved publication of the proposed rule on revisions to the petition for rulemaking process in the *Federal Register*, subject to the attached edits.

The Commission has disapproved both of the staff's proposals to expand the delegation of authority to the Executive Director for Operations to deny, in whole or in part, petitions for rulemaking.

Attachment: Changes to the *Federal Register* notice in SECY-12-0160

cc: Chairman Macfarlane  
Commissioner Svinicki  
Commissioner Apostolakis  
Commissioner Magwood  
Commissioner Ostendorff  
OGC  
CFO  
OCA  
OPA  
Office Directors, Regions, ACRS, ASLBP (via E-Mail)  
PDR

Changes to the *Federal Register* Notice in SECY-12-0160

1. On page 5, 1<sup>st</sup> full paragraph, revise lines 4 and 5 to read “...average. ~~Recently, h~~ However, beginning in 2007” and continuing through 2012, the NRC has ~~some years have~~ experienced....”
2. On page 5, 1<sup>st</sup> full paragraph, revise lines 6 and 7 to read “...alone. ~~The~~ Those increases in PRMs has ~~have~~ presented....”
3. On page 6, 1<sup>st</sup> paragraph, line 2 remove extra space after “COMEXM-06-0006,.”
4. On page 6, 2<sup>nd</sup> paragraph, revise line 9 to read “...objective ~~transparent~~ manner....”
5. On page 7, 1<sup>st</sup> paragraph, revise lines 2 and 3 to read ‘... Tables S-3 and S-4,” dated ....’  
Revise lines 3 thru 5 to read “...Commission approved closing the docket for a specific PRM that it described as “decades old.” In so doing, the Commission again directed....”
6. On page 8, revise top two lines to read “...notice. ~~There is wide variation among Federal agencies on how PRMs are processed.~~”
7. On page 8, 3<sup>rd</sup> full paragraph, revise lines 5 and 6 to read “... these actions to inform the public of NRC action upon receipt of a PRM and denial of issues in a PRM....”
8. On page 10, 1<sup>st</sup> full paragraph, revise line 1 to read “... the yearly increases ....” Revise line 6 to read “... ~~comment~~ comments that clearly do not warrant ....”
9. On page 11, paragraph 1, revise line 4 to read “... of NRC PRMs and ....”
10. On page 13, paragraph 6., revise lines 4 and 5 to read “... 2.811-2.817. ~~Using the proposed amendments for explanatory convenience, t~~The NRC ....”
11. On page 14, paragraph 8., revise line 3 to read “... 2.803(g) and amended for plain language ~~clarity.~~”
12. On page 15, revise line 13 from the top to read “... PRM’s ~~PRM’s~~ request. Final ....”
13. On page 16, paragraph 13, revise lines 5 and 6 to read “... actions (~~e.g., new planned, or ongoing rulemaking related to the PRM~~), resolution ....” Revise line 13 to read “... of PRMs before the NRC, so ....”
14. On page 28, 3<sup>rd</sup> full paragraph, revise lines 4 and 5 to read “... docketed PRM and would amend the text for clarity and plain language.”
15. On page 29, 1<sup>st</sup> full paragraph, revise line 4 to read ‘... clarity and plain language. The ....’
16. Page On page 31, 2<sup>nd</sup> paragraph, revise lines 3 and 4 to read “... decisions (~~e.g., policy statements, staff requirements memoranda, adjudicatory board decisions~~) when ....”
17. On page 35, revise last line on page to read “... (k)(1) through (k)(3) ....”

18. On page 38, paragraph 1, revise lines 2 and 3 to read "... amendment ~~that has no economic impact on NRC licensees or the public~~ and does ...."
19. On page 42, paragraph (2), revise line 1 to read "... evaluation of the PRM, ~~the NRC strongly suggests that the petitioner ....~~"
20. On page 44, paragraph (f), add an extra space after "*Withdrawal.*"
21. On page 44, paragraph (a), add an extra space after "*Receipt.*"
22. On page 44, paragraph (b), add an extra space after "*Review.*"
23. On page 45, paragraph (d), add an extra space after "*petitioners.*"
24. On page 46, paragraph (h)(1), add an extra space after "*Determination.*"
25. On page 48, revise lines 6 and 7 at top to be Arial Font 11 pt.
26. On page 48, paragraph (2), add an extra space after "*docket.*"
27. On page 48, paragraph (2), revise line 8 to read "... paragraph (j) of ...."
28. On page 49, last paragraph, revise the year to be 2013.