

June 19, 2013

The Honorable John D. Dingell
Chairman Emeritus
Committee on Energy and Commerce
United States House of Representatives
Washington, D.C. 20515

Dear Congressman Dingell:

On behalf of the U.S. Nuclear Regulatory Commission (NRC), I am responding to your letter of May 7, 2013, providing your views on the Nuclear Energy Institute's January 25, 2013, petition for rulemaking. This petition seeks amendment of the NRC's personnel access authorization regulations to ensure that employee denials of unescorted access cannot be overturned by a third party. Your letter was added to the public comment file on this petition and will be considered by the agency.

The NRC has agreed to the petitioner's request for an expedited review of the petition because of pending arbitration cases that will be affected by NRC action on this petition. The public comment period ended on June 6, 2013. The NRC staff will now evaluate the petition for rulemaking and the comments received, including yours, to determine whether the petition should be considered in the rulemaking process or denied. The NRC's primary concern when reviewing petitions for rulemaking is to ensure that NRC-licensed activities are conducted in a manner that ensures adequate protection of public health and safety, promotes the common defense and security, and protects the environment. An explanation of the NRC's decision will be published in the Federal Register.

Thank you for your interest in this matter. If you need any additional information, please contact me or Ms. Rebecca Schmidt, Director of the Office of Congressional Affairs, at (301) 415-1776.

Sincerely,

/RA/

Allison M. Macfarlane