

July 18, 2013

The Honorable Ron Wyden
United States Senate
Washington, D.C. 20510

Dear Senator Wyden:

On behalf of the U.S. Nuclear Regulatory Commission (NRC), I am responding to your letter of June 11, 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 agreed to the petitioner's request for an expedited review of the petition because of pending arbitration cases that would be affected by NRC action on this petition. As a result, the agency provided a shortened, 45-day public comment period that ended on June 6, 2013, although we are considering comments received after that date, to the extent practicable. The NRC staff is now evaluating 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

Identical letter sent to:

The Honorable Ron Wyden
United States Senate
Washington, D.C. 20510

The Honorable Tom Harkin
United States Senate
Washington, D.C. 20510

The Honorable Jeff Merkley
United States Senate
Washington, D.C. 20510

The Honorable Richard J. Durbin
United States Senate
Washington, D.C. 20510

The Honorable Debbie Stabenow
United States Senate
Washington, D.C. 20510

The Honorable Sherrod Brown
United States Senate
Washington, D.C. 20510

The Honorable Patty Murray
United States Senate
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The Honorable Mark Begich
United States Senate
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The Honorable Benjamin L. Cardin
United States Senate
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The Honorable Richard Blumenthal
United States Senate
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The Honorable Jon Tester
United States Senate
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The Honorable Carl Levin
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The Honorable Al Franken
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The Honorable Maria Cantwell
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