



[7590-01-P]

NUCLEAR REGULATORY COMMISSION

10 CFR Parts 50 and 52

[NRC-2011-0299]

RIN 3150-AJ08

Station Blackout Mitigation Strategies

AGENCY: Nuclear Regulatory Commission.

ACTION: Draft regulatory basis and draft rule concepts; request for comment.

SUMMARY: The U.S. Nuclear Regulatory Commission (NRC) is requesting comment on the draft regulatory basis document to support the potential amendment of its regulations concerning nuclear power plant licensees' station blackout mitigation strategies. Appendix A of the draft regulatory basis provides a discussion of rule language concepts that the NRC staff is considering for this potential rulemaking. In addition, Appendix A contains a set of questions soliciting stakeholder feedback in areas that would support the NRC staff in developing a proposed rule. The issuance of this draft regulatory basis document is one of the actions stemming from the NRC's lessons-learned efforts associated with the March 2011 Fukushima Dai-ichi Nuclear Power Plant accident in Japan.

DATES: Submit comments by **[INSERT DATE: 45 DAYS FROM DATE OF PUBLICATION]**.

Comments received after this date will be considered if it is practical to do so, but the NRC is only able to ensure consideration of comments received on or before this date.

ADDRESSES: You may submit comments by any of the following methods:

- **Federal Rulemaking Web Site:** Go to <http://www.regulations.gov> and search for Docket ID NRC-2011-0299. Address questions about NRC dockets to Carol Gallagher; telephone: 301-492-3668; e-mail: Carol.Gallagher@nrc.gov. For technical questions, contact the individual listed in the FOR FURTHER INFORMATION CONTACT section of this document.
- **E-mail comments to:** Rulemaking.Comments@nrc.gov. If you do not receive an automatic e-mail reply confirming receipt, contact us directly at 301-415-1677.
- **Fax comments to:** Secretary, U.S. Nuclear Regulatory Commission at 301-415-1101.
- **Mail comments to:** Secretary, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, ATTN: Rulemakings and Adjudications Staff.
- **Hand deliver comments to:** 11555 Rockville Pike, Rockville, Maryland 20852, between 7:30 am and 4:15 pm (Eastern time) Federal workdays; telephone: 301-415-1677.

For additional direction on accessing information and submitting comments, see “Accessing Information and Submitting Comments” in the SUPPLEMENTARY INFORMATION section of this document.

FOR FURTHER INFORMATION CONTACT: Timothy A. Reed, Office of Nuclear Reactor Regulation, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001; telephone: 301-415-1462; e-mail: Timothy.Reed@nrc.gov.

SUPPLEMENTARY INFORMATION:

I. Accessing Information and Submitting Comments

A. Accessing Information

Please refer to Docket ID **NRC-2011-0299** when contacting the NRC about the availability of information for this notice. You may access information related to this document, which the NRC possesses and is publicly available, by the following methods:

- **Federal Rulemaking Web Site:** Go to <http://www.regulations.gov> and search for Docket ID **NRC-2011-0299**.

- **NRC's Agencywide Documents Access and Management System (ADAMS):** You may access publicly available documents online in the NRC Library at <http://www.nrc.gov/reading-rm/adams.html>. To begin the search, select "[ADAMS Public Documents](#)" and then select "[Begin Web-based ADAMS Search](#)." For problems with ADAMS, please contact the NRC's Public Document Room (PDR) reference staff at 1-800-397-4209, 301-415-4737, or by e-mail to PDR.Resource@nrc.gov. The ADAMS Accession Number for each document referenced in this notice (if that document is available in ADAMS) is provided the first time that a document is referenced.

- **NRC's PDR:** You may examine and purchase copies of public documents at the NRC's PDR, Room O1-F21, One White Flint North, 11555 Rockville Pike, Rockville, Maryland 20852.

B. Submitting Comments

Please include Docket ID **NRC-2011-0299** in the subject line of your comment submission to ensure that the NRC is able to make your comment submission available to the public in this docket.

The NRC cautions you not to include identifying or contact information in comment submissions that you do not want to be publicly disclosed in your comment submission. The NRC will post all comment submissions at www.regulations.gov as well as enter the comment submissions into ADAMS, and the NRC does not routinely edit comment submissions to remove identifying or contact information.

If you are requesting or aggregating comments from other persons for submission to the NRC, then you should inform those persons not to include identifying or contact information that they do not want to be publicly disclosed in their comment submission. Your request should state that the NRC does not routinely edit comment submissions to remove such information before making the comment submissions available to the public or entering the comment into ADAMS.

II. Background

As the NRC continues its ongoing proposed rulemaking effort to amend portions of parts 50 and 52 of Title 10 of the *Code of Federal Regulations* (10 CFR) to incorporate requirements involving station blackout mitigation strategies, the NRC is making preliminary documents publicly available on the Federal rulemaking Web site, www.regulations.gov, under Docket ID **NRC-2011-0299**. By making these documents publicly available, the NRC seeks to inform stakeholders of the current status of the NRC's rulemaking development activities and to provide preparatory material for future public meetings. The NRC is instituting a 45-day public

comment period on these materials, and the public is encouraged to participate in any related public meetings.

III. Publicly Available Documents

The NRC has posted on www.regulations.gov for public availability the draft regulatory basis to incorporate requirements involving station blackout mitigation strategies (ADAMS Accession No. ML13077A453). The draft regulatory basis documents the reasons why the NRC determined that rulemaking is the appropriate course of action to remedy a regulatory shortcoming.

In addition, in Appendix A, the draft regulatory basis provides a discussion of rule language concepts that the NRC staff is considering for this potential rulemaking. Appendix A also contains a set of questions soliciting stakeholder feedback in areas that would support the NRC staff in developing a proposed rule. The draft rule concepts provide the NRC's current thoughts about what requirements would be needed. The draft rule concepts do not represent a final NRC staff position nor have they been reviewed by the Commission. These concepts may undergo significant revision during the rulemaking process.

The NRC is requesting formal public comments on the draft regulatory basis and the draft rule concepts. The NRC may post additional materials to the Federal rulemaking Web site at www.regulations.gov under Docket ID **NRC-2011-0299**. The Federal rulemaking Web site allows you to receive alerts when changes or additions occur in a docket folder. To subscribe:

1) navigate to the docket folder (NRC-2011-0299); 2) click the “E-mail Alert” link; and 3) enter your e-mail address and select how frequently you would like to receive e-mails (daily, weekly, or monthly).

Dated at Rockville, Maryland, this 2 day of April , 2013.

For the Nuclear Regulatory Commission.

/RA/

Lawrence E. Kokajko, Director,
Division of Policy and Rulemaking,
Office of Nuclear Reactor Regulation.

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