

Ms. Sally Shaw
100 River Road
Gill, MA 01354

Dear Ms. Shaw:

I am responding to your letter of June 23, 2006, in which you submitted a petition for rulemaking (PRM). In this letter, you requested that the NRC issue a rulemaking to reconcile NUREG-1437, "Generic Environmental Impact Statement (GEIS) for License Renewal of Nuclear Plants" (May 1996) with the National Academy of Sciences (NAS) 2005 report "Health Risks from Exposure to Low levels of Ionizing Radiation: Biological Effects of ionizing Radiation (BEIR) VII."

The NRC published a notice of receipt of your petition (PRM-51-11) on November 20, 2006 (71 FR 67072). Seventy-four comments were received on this petition. Of the 74 comments, 69 supported granting the petition. No comments were opposed to the petition and five comments were not applicable to this petition.

The Commission has concluded that your request does not meet the 10 CFR 2.802(c) criteria for a PRM and is denying your petition. The Commission has concluded that nuclear plants that are in compliance with NRC radiation protection regulations and standards remain protective of public health and safety and the environment. The radiological health and environmental impacts contained in the GEIS, which are based on regulatory compliance, remain valid (i.e., the impacts due to radiation are small). In addition, the NRC staff reviewed and concluded in Commission Paper (SECY-05-0202), "Staff Review of the National Academies Study of the Health Risks from Exposure to Low Levels of Ionizing Radiation (BEIR VII)," Agencywide Document Access Management System accession number ML0526405321 dated October 29, 2005, that the current scientific evidence is consistent with NRC's belief that there is a linear, no-threshold dose response relationship between exposure to ionizing radiation and the development of cancer in humans. The NRC staff further determined that BEIR VII report's conclusion is consistent with the system of radiological protection that the NRC uses to develop its regulations and that none of the findings in the report warrant initiating any immediate change to NRC regulations or Federal guidance. Therefore, the NRC believes that a specific rulemaking to reconcile its GEIS, or the license renewal of nuclear plants with the 2005 NAS BEIR VII report, is not warranted.

Further details are discussed in the enclosed Notice of Denial of Petition for Rulemaking, which will be published in the *Federal Register*.

S. Shaw

-2-

Any questions you may have regarding this matter should be directed to Michael Lesar, Chief, Rulemaking, Directives, and Editing Branch, by calling 301-415-7163 or by e-mail to mtl@nrc.gov.

Sincerely,

Annette Vietti-Cook
Secretary of the Commission

Enclosure:
Federal Register Notice of
Denial of Petition for Rulemaking

S. Shaw

-2-

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Sincerely,

Annette Vietti-Cook
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