

March 8, 2006

The Honorable Ralph M. Hall
Chairman, Subcommittee on Energy
and Air Quality
Committee on Energy and Commerce
United States House of Representatives
Washington, DC 20515

Dear Mr. Chairman:

The Nuclear Regulatory Commission (NRC) has forwarded to the Office of the Federal Register for publication, the enclosed notice of withdrawal of a proposed rule that would have amended the Commission's regulations in 10 CFR Part 50, "Domestic Licensing of Production and Utilization Facilities." The proposal was recommended as the appropriate regulatory tool to resolve a compliance issue associated with the use of operator manual actions for post-fire safe shutdown of nuclear power plants. Based on stakeholder comments, the Commission believes that the proposed rule would not achieve intended objectives of effectiveness and efficiency.

In accordance with the Commission's Fire Protection policy, the NRC has devised a closure plan to continue its enforcement of the regulations through scheduled inspections. The NRC closure plan includes expectations that noncompliances will be addressed by licensees through plant corrective actions. The NRC plans to issue a Regulatory Issue Summary to reiterate NRC's compliance expectations and to advise licensees of the expiration of enforcement discretion guidance.

Sincerely,

/RA/

Rebecca L. Schmidt, Director
Office of Congressional Affairs

Enclosure:
Federal Register notice for
withdrawal of a proposed rule

cc: Representative Rick Boucher

March 8, 2006

The Honorable George V. Voinovich
Chairman, Subcommittee on Clean Air,
Climate Change, and Nuclear Safety
Committee on Environment and Public Works
United States Senate
Washington, DC 20510

Dear Mr. Chairman:

The Nuclear Regulatory Commission (NRC) has forwarded to the Office of the Federal Register for publication, the enclosed notice of withdrawal of a proposed rule that would have amended the Commission's regulations in 10 CFR Part 50, "Domestic Licensing of Production and Utilization Facilities." The proposal was recommended as the appropriate regulatory tool to resolve a compliance issue associated with the use of operator manual actions for post-fire safe shutdown of nuclear power plants. Based on stakeholder comments, the Commission believes that the proposed rule would not achieve intended objectives of effectiveness and efficiency.

In accordance with the Commission's Fire Protection policy, the NRC has devised a closure plan to continue its enforcement of the regulations through scheduled inspections. The NRC closure plan includes expectations that noncompliances will be addressed by licensees through plant corrective actions. The NRC plans to issue a Regulatory Issue Summary to reiterate NRC's compliance expectations and to advise licensees of the expiration of enforcement discretion guidance.

Sincerely,

/RA/

Rebecca L. Schmidt, Director
Office of Congressional Affairs

Enclosure:
Federal Register notice for
withdrawal of a proposed rule

cc: Senator Thomas R. Carper

March 8, 2006

The Honorable George V. Voinovich
Chairman, Subcommittee on Clean Air,
Climate Change, and Nuclear Safety
Committee on Environment and Public Works
United States Senate
Washington, DC 20510

Dear Mr. Chairman:

The Nuclear Regulatory Commission (NRC) has forwarded to the Office of the Federal Register for publication, the enclosed notice of withdrawal of a proposed rule that would have amended the Commission's regulations in 10 CFR Part 50, "Domestic Licensing of Production and Utilization Facilities." The proposal was recommended as the appropriate regulatory tool to resolve a compliance issue associated with the use of operator manual actions for post-fire safe shutdown of nuclear power plants. Based on stakeholder comments, the Commission believes that the proposed rule would not achieve intended objectives of effectiveness and efficiency.

In accordance with the Commission's Fire Protection policy, the NRC has devised a closure plan to continue its enforcement of the regulations through scheduled inspections. The NRC closure plan includes expectations that noncompliances will be addressed by licensees through plant corrective actions. The NRC plans to issue a Regulatory Issue Summary to reiterate NRC's compliance expectations and to advise licensees of the expiration of enforcement discretion guidance.

Sincerely,

/RA/

Rebecca L. Schmidt, Director
Office of Congressional Affairs

Enclosure:
Federal Register notice for
withdrawal of a proposed rule

cc: Senator Thomas R. Carper

IDENTICAL LETTERS SENT TO: The Honorable Ralph M. Hall
Chairman, Subcommittee on Clean Air,
Climate Change, and Nuclear Safety
Committee on Environment and Public Works
United States Senate
cc: Representative Rick Boucher

DISTRIBUTION: PFPB r/f RidsNrrOd RidsAdmDasRdb
DDiec RidsNrrAdra RidsNrrDpr RidsNrrDprPfpb
MLesar, RDB/DAS/ADM

Package Accession Number: ML060380257 Accession Number: ML060450149

***See previous concurrences**

OFFICE	PFPB:DPR	PFPB:BC	ADM	OCA:D
NAME	JBirmingham*	EMcKenna*	MLesar	RSchmidt
DATE	02/15/2006	02/17/2006	3/ 2/06	03/ 08 /2006

