

The Honorable Edward J. Markey  
Chairman, Subcommittee on Energy and Air Quality  
Committee on Energy and Commerce  
United States House of Representatives  
Washington, DC 20515

Dear Mr. Chairman:

The U.S. Nuclear Regulatory Commission (NRC) intends to publish a final rule in the Federal Register that would amend regulations in Title 10 of the Code of Federal Regulations parts 20, 30, 40, 50, 70, and 72 to improve Decommissioning Planning. The final rule would require all NRC licensees to minimize residual radioactivity at their site, including in the subsurface, and to provide additional details in their decommissioning cost estimates, including the extent of subsurface contamination. The final rule also would tighten NRC control of certain financial instruments, such as the parent company guarantee and self guarantee, to increase the assurance that adequate funds will be available from the licensee to complete facility decommissioning. These changes are consistent with NRC staff recommendations to prevent the occurrence of future legacy sites, which are sites in a decommissioning status with insufficient funds to complete the decommissioning work. The Decommissioning Planning proposed rule was published in the Federal Register on January 22, 2008 (73 FR 3812).

Increasing licensee awareness of subsurface contamination during facility operations while the licensee is generating revenue, and allowing NRC to review that subsurface contamination information, will improve decommissioning planning efforts. The Commission supports this final rule as a means to enhance environmental protection and protect public health and safety.

Sincerely,

Rebecca L. Schmidt, Director  
Office of Congressional Affairs

Enclosure:  
*Federal Register* Notice

cc: Representative Fred Upton

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Chairman, Subcommittee on Energy and Air Quality  
Committee on Energy and Commerce  
United States House of Representatives  
Washington, DC 20515

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Identical Letters sent to The Honorable Thomas Carper with cc to Senator George V. Voinovich, The Honorable Barbara Boxer with cc to Senator James M. Inhofe, and The Honorable Henry A. Waxman with cc to Representative Joe Barton

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OFFICE:	FSME/DILR	FSME/DILR	Tech Editor	OCA
NAME:	KO'Sullivan	MDelligatti	PTressler	RSchmidt
DATE:	/ /2009	/ /2009	/ /2009	/ /2009

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The Honorable Thomas Carper  
Chairman, Subcommittee on Clean Air  
and Nuclear Safety  
Committee on Environment and Public Works  
United States Senate  
Washington, DC 20510

Dear Mr. Chairman:

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cc: Senator George V. Voinovich

The Honorable Barbara Boxer  
Chairman, Committee on Environment and Public Works  
United States Senate  
Washington, DC 20510

Dear Madam Chairman:

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cc: Senator James M. Inhofe

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Chairman, Committee on Energy and Commerce  
United States House of Representatives  
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