



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

September 2, 2022

The Honorable Sandra R. Galef
New York Assembly
95th Assembly District
641 Legislative Office Building
Albany, NY 12248

Dear Assemblywoman Galef:

On behalf of the U.S. Nuclear Regulatory Commission (NRC), I am responding to your letter to Chairman Hanson dated July 15, 2022 (Agencywide Documents Access and Management System (ADAMS) Accession No. [ML22227A128](#)). In the letter, you raise various concerns regarding the NRC's proposed rule on Regulatory Improvements for Production and Utilization Facilities Transitioning to Decommissioning as it relates to Indian Point Nuclear Generating Station. Accordingly, your letter has been added to the official record of comments on this matter and the NRC staff will consider and respond to the comments raised in developing a draft final rule for Commission approval.

Among other things, your letter states that the NRC's proposed rule represents too broad of an approach to overseeing decommissioning facilities and that the NRC should, instead, continue to grant individual exemption requests for individual decommissioning facilities. Presently, the NRC is in receipt of exemption requests related to the decommissioning of Indian Point and is reviewing the licensee's analysis of and justification for the requested exemptions. The NRC may grant these requests for exemption from requirements of the NRC's regulations if the exemptions are authorized by law, will not present an undue risk to the public health and safety, are consistent with the common defense and security, and if special circumstances are present. The pending rulemaking will not change the NRC's review of the individual exemption requests for Indian Point.

Your letter also raises concerns regarding releases of liquid effluents from Indian Point. The controlled release of liquid effluents at nuclear power plants, within specified regulatory limits, is an activity that occurs throughout the operation and decommissioning of a facility. The NRC's regulations and licensing reviews for a facility consider such releases as part of the agency's safety and environmental determinations, ensuring that the operation and decommissioning of the facility is safe for people and the environment.

In accordance with Title 10 of the *Code of Federal Regulations* 2.390, "[Public inspections, exemptions, requests for withholding](#)," a copy of this letter will be available electronically for public inspection in the NRC Public Document Room or from the Publicly Available Records component of NRC's ADAMS. ADAMS is accessible from the NRC website at <https://www.nrc.gov/reading-rm/adams.html>.

If you have any questions, please contact me or have your staff contact Karl Sturzebecher, Project Manager, Reactor Decommissioning Branch, Division of Decommissioning, Uranium Recovery, and Waste Programs, Office of Nuclear Material Safety and Safeguards, at (301) 415-8534, or via email to Karl.Sturzebecher@nrc.gov.

Sincerely,

A handwritten signature in dark ink, appearing to read "J. Marshall", is positioned to the left of the typed name.

Signed by Marshall, Jane
on 09/02/22

Jane E. Marshall, Director,
Division of Decommissioning, Uranium Recovery,
and Waste Programs,
Office of Nuclear Material Safety
and Safeguards

LTR-22-0227-1-NMSS - Response to Assemblywoman New York State Legislature Sandy Galef
Regarding Decommissioning at Indian Point Nuclear Generating Facility DATE September 2, 2022

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