



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

December 13, 2006

ALL AGREEMENT STATES, NEW JERSEY, PENNSYLVANIA, VIRGINIA

**INFORMATION REQUEST: STATES USE OF ESCROW ACCOUNTS OR GUARANTEES
AS MECHANISMS FOR DECOMMISSIONING FINANCIAL ASSURANCE (FSME-06- 111)**

As stated in the September 18, 2006, All Agreement States Letter STP-06-087, the United States Nuclear Regulatory Commission (NRC) is proposing to amend its regulations to reduce the likelihood that a licensee will have insufficient funds to decommission its facility in accordance with 10 CFR 20, Subpart E, Radiological Criteria for License Termination. A regulatory change under consideration is to eliminate the escrow account as an approved financial assurance mechanism, and to require collateral for the unsecured Parent Company Guarantee and the unsecured Self-Guarantee financial assurance mechanisms. Reliance on these financial assurance mechanisms without regulatory change may increase the likelihood of future legacy sites due to the mechanisms ineffectiveness in bankruptcy actions.

At this time the License Termination Rule (LTR)-Prevention of Future Legacy Sites Working Group (WG) is in the process of completing the technical basis for this proposed rule. In order to complete this task, the WG is requesting the Agreement States to provide* information on the use of the escrow account, Parent Guarantee, and Self-Guarantee as decommissioning financial assurance mechanisms in each State, whether these mechanisms are being used by the States, and the approximate total dollar value of each mechanism within those States.

This information should be provided to Kevin O'Sullivan, FSME/DILR, within 30 days of the date of this letter. Mr. O'Sullivan can be reached at 301-415-8112, or at e-mail: KRO2@NRC.GOV.

If you have any questions regarding this correspondence, please contact me or the individual named below.

POINT OF CONTACT: Osiris Siurano
TELEPHONE: (301) 415-2307

INTERNET: OSP@NRC.GOV
FAX: (301) 415-3502

/RA/

Dennis K. Rathbun, Director
Division of Intergovernmental Liaison and Rulemaking
Office of Federal and State Materials and
Environmental Management Programs

* This information request has been approved by OMB 3150-0029, expiration 06/30/07. The estimated burden per response to comply with this voluntary collection is approximately 8 hours. Send comments regarding the burden estimate to the Records and FOIA/Privacy Services Branch (T-5F52), U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, or by Internet e-mail to infocollects@nrc.gov, and to the Desk Officer, Office of Information and Regulatory Affairs, NEOB-10202 (3150-0029), Office of Management and Budget, Washington, DC 20503. If a means used to impose an information collection does not display a currently valid OMB control number, the NRC may not conduct or sponsor, and a person is not required to respond to, the information collection.

FSME-06-111

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