

July 12, 2007

ALL AGREEMENT STATES, NEW JERSEY, PENNSYLVANIA, VIRGINIA

OPPORTUNITY TO COMMENT ON DRAFT PROPOSED RULE: DECOMMISSIONING PLANNING (FSME-07-063)

Purpose: To inform you of an opportunity to comment on a draft proposed rule to amend 10 CFR Parts 20, 30, 40, 50, 70, and 72. This proposed rule would affect licensees who may have residual radioactivity in areas within their site boundary and licensees who are required to have decommissioning financial assurance. Please submit comments to the contact listed below as early as you can, but no later than 30* days from the date of this letter. Thank you.

Background: The proposed rule would amend regulations to improve decommissioning planning and to reduce the likelihood of future legacy sites. These amendments have been found to have no significant environmental impact. There is an increase in regulatory burden. This rule involves regulations that have been assigned compatibility category "C," "D," and "H&S." Existing compatibility categories are not impacted by this draft final rule.

Contents: This draft proposed rule is available at the Agreement State area of the NRC's Technical Conference Forum: <http://techconf.llnl.gov/cgi-states/topics>.

Due to its predecisional nature, the draft has not been publicly disclosed. Therefore, we request that you limit distribution to your staff and not release the draft publicly. Please see the FSME web page at <http://nrc-stp.ornl.gov/procedures/sa800d.pdf> for additional information about the distribution and use of predecisional information. If the draft is intended to be released, or released, please inform me or the contact named below within 24 hours of the request.

NRC point of contact: If you have any questions regarding this communication, please contact me at 301-415-2325 or the individual named below.

POINT OF CONTACT: Kevin O'Sullivan
TELEPHONE: (301) 415-8112

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/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 07/31/2007. 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 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 a or sponsor, and a person is not required to response to, the information collection.

FSME-07-063

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