

January 11, 2008

STATE LIAISON OFFICERS

NOTICE OF PUBLICATION OF PROPOSED RULE TO IMPROVE DECOMMISSIONING PLANNING TO PREVENT LEGACY SITES (FSME-08-006)

Purpose: To inform you that the Office of the Federal Register has published the enclosed proposed amendments to the Nuclear Regulatory Commission's rules in 10 CFR Parts 20, 30, 40, 50, 70 and 72. These amendments resulted from 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.

Background: The Commission approved development of a technical basis for the proposed rule in SRM-SECY-03-0069 dated November 17, 2003. The Commission approved publication of the proposed rule on December 10, 2007 as requested in SECY-07-0177.

Contents: The amendments in the proposed rule would require licensees to conduct their operations to minimize the occurrence of residual radioactivity at their sites, particularly in the subsurface soil and ground water. Licensees would be required to keep survey records of residual radioactivity with records important for decommissioning. The amended regulations would require licensees to report additional details in their decommissioning cost estimates, would eliminate two currently approved financial assurance mechanisms, and would modify the parent company guarantee and self-guarantee financial assurance mechanisms. This proposed rulemaking will improve licensee awareness, during facility operations, of subsurface contamination and decommissioning funding assurance which will help prevent future legacy sites.

The rulemaking package includes an Environmental Assessment (EA) with a conclusion that no significant environmental impact will result from the proposed rule, a Regulatory Analysis, and two draft guidance documents. All of these files, and the Federal Register Notice of the proposed rule, can be viewed and downloaded from the Federal website www.regulations.gov. If you have any comments on the rule or the other documents, please send within the 75-day publication date as noted in the Federal Register Notice. Comments received after this date will be considered if it is practical to do so, but the Commission is able to assure consideration only for comments received on or before this date.

*This information request has been approved by OMB 3150-0163, expiration 10/31/2009. 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 (3150-0163), 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.

You can use the following methods to transmit your comments: (1) you can mail your written comments to: Secretary, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, Attention: Rulemakings and Adjudications Staff; (2) you can fax your comments to (301) 415-1101; (3) you can e-mail your comments to SECY@nrc.gov. If you do not receive a reply e-mail confirming that your comment was received, contact the Secretary's office directly at (310) 415-1677; or (4) you can submit comments via the website <http://www.regulations.gov>.

NRC Point of Contact: For further information regarding the proposed rule, please contact the individual named below:

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FSME-08-006

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