

December 14, 2010

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

Dear Mr. Chairman:

Enclosed are documents regarding the long-term storage of high-level radioactive waste. The first document is a copy of a notice of a final rule to be published in the *Federal Register* (Enclosure 1). There also is a final update and revision of the U.S. Nuclear Regulatory Commission's (NRC or the Commission) Waste Confidence Decision to be published in the *Federal Register* (Enclosure 2).

The NRC is revising its generic determination on the environmental impacts of storing of spent fuel at, or away from, reactor sites after the expiration of reactor operating licenses. In an update to its 1990 Waste Confidence Decision, the Commission now finds that, if necessary, spent fuel generated in any reactor can be stored safely and without significant environmental impacts for at least 60 years beyond the licensed life for operation either in a spent fuel pool or in dry-cask storage. The Commission also found that sufficient capacity in a geologic repository can reasonably be expected to be available when necessary. The final Waste Confidence decision includes the Commission's responses to the public comments received on the proposed decision and rule.

Sincerely,

/RA/

Rebecca L. Schmidt, Director
Office of Congressional Affairs

Enclosures:

1. *Federal Register* notice - Final Amendment of 10 CFR 51.23
2. *Federal Register* notice - Update and Revision of Waste Confidence Decision

cc: Representative Fred Upton

December 14, 2010

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

Dear Madam Chairman:

Enclosed are documents regarding the long-term storage of high-level radioactive waste. The first document is a copy of a notice of a final rule to be published in the *Federal Register* (Enclosure 1). There also is a final update and revision of the U.S. Nuclear Regulatory Commission's (NRC or the Commission) Waste Confidence Decision to be published in the *Federal Register* (Enclosure 2).

The NRC is revising its generic determination on the environmental impacts of storing of spent fuel at, or away from, reactor sites after the expiration of reactor operating licenses. In an update to its 1990 Waste Confidence Decision, the Commission now finds that, if necessary, spent fuel generated in any reactor can be stored safely and without significant environmental impacts for at least 60 years beyond the licensed life for operation either in a spent fuel pool or in dry-cask storage. The Commission also found that sufficient capacity in a geologic repository can reasonably be expected to be available when necessary. The final Waste Confidence decision includes the Commission's responses to the public comments received on the proposed decision and rule.

Sincerely,

/RA/

Rebecca L. Schmidt, Director
Office of Congressional Affairs

Enclosures:

1. *Federal Register* notice - Final Amendment of 10 CFR 51.23
2. *Federal Register* notice - Update and Revision of Waste Confidence Decision

cc: Senator James M. Inhofe

December 14, 2010

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

Dear Mr. Chairman:

Enclosed are documents regarding the long-term storage of high-level radioactive waste. The first document is a copy of a notice of a final rule to be published in the *Federal Register* (Enclosure 1). There also is a final update and revision of the U.S. Nuclear Regulatory Commission's (NRC or the Commission) Waste Confidence Decision to be published in the *Federal Register* (Enclosure 2).

The NRC is revising its generic determination on the environmental impacts of storing of spent fuel at, or away from, reactor sites after the expiration of reactor operating licenses. In an update to its 1990 Waste Confidence Decision, the Commission now finds that, if necessary, spent fuel generated in any reactor can be stored safely and without significant environmental impacts for at least 60 years beyond the licensed life for operation either in a spent fuel pool or in dry-cask storage. The Commission also found that sufficient capacity in a geologic repository can reasonably be expected to be available when necessary. The final Waste Confidence decision includes the Commission's responses to the public comments received on the proposed decision and rule.

Sincerely,

/RA/

Rebecca L. Schmidt, Director
Office of Congressional Affairs

Enclosures:

1. *Federal Register* notice - Final Amendment of 10 CFR 51.23
2. *Federal Register* notice - Update and Revision of Waste Confidence Decision

cc: Senator David Vitter

December 14, 2010

The Honorable Henry A. Waxman
Chairman, Committee on Energy
and Commerce
United States House of Representatives
Washington, DC 20515

Dear Mr. Chairman:

Enclosed are documents regarding the long-term storage of high-level radioactive waste. The first document is a copy of a notice of a final rule to be published in the *Federal Register* (Enclosure 1). There also is a final update and revision of the U.S. Nuclear Regulatory Commission's (NRC or the Commission) Waste Confidence Decision to be published in the *Federal Register* (Enclosure 2).

The NRC is revising its generic determination on the environmental impacts of storing of spent fuel at, or away from, reactor sites after the expiration of reactor operating licenses. In an update to its 1990 Waste Confidence Decision, the Commission now finds that, if necessary, spent fuel generated in any reactor can be stored safely and without significant environmental impacts for at least 60 years beyond the licensed life for operation either in a spent fuel pool or in dry-cask storage. The Commission also found that sufficient capacity in a geologic repository can reasonably be expected to be available when necessary. The final Waste Confidence decision includes the Commission's responses to the public comments received on the proposed decision and rule.

Sincerely,

/RA/

Rebecca L. Schmidt, Director
Office of Congressional Affairs

Enclosures:

1. *Federal Register* notice - Final Amendment of 10 CFR 51.23
2. *Federal Register* notice - Update and Revision of Waste Confidence Decision

cc: Representative Joe Barton

December 14, 2010

The Honorable Jeff Bingaman
Chairman, Committee on Energy
and Natural Resources
United States Senate
Washington, DC 20510

Dear Mr. Chairman:

Enclosed are documents regarding the long-term storage of high-level radioactive waste. The first document is a copy of a notice of a final rule to be published in the *Federal Register* (Enclosure 1). There also is a final update and revision of the U.S. Nuclear Regulatory Commission's (NRC or the Commission) Waste Confidence Decision to be published in the *Federal Register* (Enclosure 2).

The NRC is revising its generic determination on the environmental impacts of storing of spent fuel at, or away from, reactor sites after the expiration of reactor operating licenses. In an update to its 1990 Waste Confidence Decision, the Commission now finds that, if necessary, spent fuel generated in any reactor can be stored safely and without significant environmental impacts for at least 60 years beyond the licensed life for operation either in a spent fuel pool or in dry-cask storage. The Commission also found that sufficient capacity in a geologic repository can reasonably be expected to be available when necessary. The final Waste Confidence decision includes the Commission's responses to the public comments received on the proposed decision and rule.

Sincerely,

/RA/

Rebecca L. Schmidt, Director
Office of Congressional Affairs

Enclosures:

1. *Federal Register* notice - Final Amendment of 10 CFR 51.23
2. *Federal Register* notice - Update and Revision of Waste Confidence Decision

cc: Senator Lisa Murkowski

December 14, 2010

The Honorable Jeff Bingaman
Chairman, Committee on Energy
and Natural Resources
United States Senate
Washington, DC 20510

Dear Mr. Chairman:

Enclosed are documents regarding the long-term storage of high-level radioactive waste. The first document is a copy of a notice of a final rule to be published in the *Federal Register* (Enclosure 1). There also is a final update and revision of the U.S. Nuclear Regulatory Commission's (NRC or the Commission) Waste Confidence Decision to be published in the *Federal Register* (Enclosure 2).

The NRC is revising its generic determination on the environmental impacts of storing of spent fuel at, or away from, reactor sites after the expiration of reactor operating licenses. In an update to its 1990 Waste Confidence Decision, the Commission now finds that, if necessary, spent fuel generated in any reactor can be stored safely and without significant environmental impacts for at least 60 years beyond the licensed life for operation either in a spent fuel pool or in dry-cask storage. The Commission also found that sufficient capacity in a geologic repository can reasonably be expected to be available when necessary. The final Waste Confidence decision includes the Commission's responses to the public comments received on the proposed decision and rule.

Sincerely,

/RA/

Rebecca L. Schmidt, Director
Office of Congressional Affairs

Enclosures:

1. *Federal Register* notice - Final Amendment of 10 CFR 51.23
2. *Federal Register* notice - Update and Revision of Waste Confidence Decision

cc: Senator Lisa Murkowski

See next page for Distribution

	OGC/RMR	RADB/DAS/ADM	OCA
LLondon	BJones	CBladey	R.Schmidt
	<i>(J. Biggins for)</i>		
12/ 01 /10	12/ 01 /10	12/ 03 /10	12/ 14 /2010

OFFICIAL RECORD COPY

Congressional Letters: DAMS: ML103340538

Template No.:

- Non-Publicly Available Publicly Available / /
- Non-Sensitive Non-Sensitive-copyright
- Sensitive Sensitive-copyright

DISTRIBUTION:

RADB r/f

SBurns

TRothschild

Mltzkowitz

BJones/Chron

OGC R/F

*OGC Library File - send electronically to Janet Smercak

*MZobler

***if deemed necessary by originator**

December 14, 2010

The Honorable Nancy Pelosi
Speaker of the House of Representatives
Washington, DC 20515

Dear Speaker Pelosi:

Enclosed are documents regarding the long-term storage of high-level radioactive waste. The first document is a copy of a notice of a final rule to be published in the *Federal Register* (Enclosure 1). There also is a final update and revision of the U.S. Nuclear Regulatory Commission's (NRC or the Commission) Waste Confidence Decision to be published in the *Federal Register* (Enclosure 2).

The NRC is revising its generic determination on the environmental impacts of storing of spent fuel at, or away from, reactor sites after the expiration of reactor operating licenses. In an update to its 1990 Waste Confidence Decision, the Commission now finds that, if necessary, spent fuel generated in any reactor can be stored safely and without significant environmental impacts for at least 60 years beyond the licensed life for operation either in a spent fuel pool or in dry-cask storage. The Commission also found that sufficient capacity in a geologic repository can reasonably be expected to be available when necessary. The final Waste Confidence decision includes the Commission's responses to the public comments received on the proposed decision and rule.

Sincerely,

/RA/

Rebecca L. Schmidt, Director
Office of Congressional Affairs

Enclosures:

1. *Federal Register* notice - Final Amendment of 10 CFR 51.23
2. *Federal Register* notice - Update and Revision of Waste Confidence Decision