May 12, 2011

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

Dear Madam Chairman:

The U.S. Nuclear Regulatory Commission (NRC) intends to publish a proposed rule in the *Federal Register* that would amend Title 10 of the *Code of Federal Regulations* (10 CFR) Part 40, Domestic Licensing of Source Material. The proposed amendments would require source material licensees possessing significant amounts of uranium hexafluoride (UF6) to perform integrated safety analyses (ISAs) similar to the ISAs performed by 10 CFR Part 70 licensees; set possession limits for UF6 for determining licensing authority (NRC or Agreement States); add defined terms; add an additional evaluation criterion for applicants who submit an evaluation in lieu of an emergency plan; require the NRC to perform a backfit analysis under specified circumstances; and make administrative changes to the structure of 10 CFR Part 40. The proposed ISA requirements would not apply to facilities that are currently decommissioning under the provisions of § 40.42.

Major uranium conversion and deconversion facilities possess significant quantities of licensed materials which, if released to the environment, have the potential to expose individuals to hazardous chemicals. The health and safety risks at these facilities are both radiological and chemical in nature. The chemical hazards, primarily hydrogen fluoride (HF), a highly reactive and corrosive chemical, are generated at these facilities. The HF evolves spontaneously from licensed materials such as UF6 when exposed to moisture in the air. Due to the substantial inhalation and skin absorption hazards from HF to workers and the public, the NRC considers a structured, risk-informed review of accidents and the establishment of controls to be necessary at these facilities to protect the health and safety of the public.

Sincerely,

/RA/

Rebecca L. Schmidt, Director
Office of Congressional Affairs

Enclosure:
Federal Register Notice

cc: Senator James M. Inhofe

May 12, 2011

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Chairman, Committee on Environment
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Washington, DC 20510

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Office of Congressional Affairs

Enclosure:
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cc: Senator James M. Inhofe

Identical Letters sent to: The Honorable Thomas R. Carper with cc to Senator John Barrasso, The Honorable Fred Upton with cc to Representative Henry A. Waxman, The Honorable Ed Whitfield with cc to Representative Bobby L. Rush, The Honorable John Shimkus with cc to Representative Gene Green

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May 12, 2011

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

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Rebecca L. Schmidt, Director
Office of Congressional Affairs

Enclosure:
Federal Register Notice

cc: Representative John Barrasso

May 12, 2011

The Honorable Fred Upton
Chairman, Committee on Energy
and Commerce
United States House of Representatives
Washington, DC 20515

Dear Mr. Chairman:

The U.S. Nuclear Regulatory Commission (NRC) intends to publish a proposed rule in the *Federal Register* that would amend Title 10 of the *Code of Federal Regulations* (10 CFR) Part 40, Domestic Licensing of Source Material. The proposed amendments would require source material licensees possessing significant amounts of uranium hexafluoride (UF6) to perform integrated safety analyses (ISAs) similar to the ISAs performed by 10 CFR Part 70 licensees; set possession limits for UF6 for determining licensing authority (NRC or Agreement States); add defined terms; add an additional evaluation criterion for applicants who submit an evaluation in lieu of an emergency plan; require the NRC to perform a backfit analysis under specified circumstances; and make administrative changes to the structure of 10 CFR Part 40. The proposed ISA requirements would not apply to facilities that are currently decommissioning under the provisions of § 40.42.

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Office of Congressional Affairs

Enclosure:
Federal Register Notice

cc: Representative Henry A. Waxman

May 12, 2011

The Honorable Ed Whitfield
Chairman, Subcommittee on Energy
and Power
Committee on Energy and Commerce
United States House of Representatives
Washington, DC 20515

Dear Mr. Chairman:

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Office of Congressional Affairs

Enclosure:
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cc: Representative Bobby L. Rush

May 12, 2011

The Honorable John Shimkus
Chairman, Subcommittee on Environment
and the Economy
Committee on Energy and Commerce
United States House of Representatives
Washington, DC 20515

Dear Mr. Chairman:

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cc: Representative Gene Green