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February 21, 2013

Secretary  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555-0001

**DOCKETED  
USNRC**

February 26, 2013 (12:00 p.m.)

OFFICE OF THE SECRETARY  
RULEMAKINGS AND  
ADJUDICATIONS STAFF

Attention: Rulemakings and Adjudications Staff

Subject: Decommissioning Plant Coalition Comments on NRC's Draft Regulatory Basis  
– Onsite Emergency Response Capabilities: 10 CFR Parts 50 and 52 (Docket ID NRC-  
2012-0031)

The Decommissioning Plant Coalition (DPC) is providing comments on the U.S. Nuclear Regulatory Commission Draft Regulatory Basis document issued on January 8, 2013 in support of the potential amendment of its regulations concerning nuclear power plant licensees' onsite emergency response capabilities.

The Draft Regulatory Basis document (Section 6.3 "Applicability" - page 17) specifically states, "An onsite emergency response capability rule would be intended for all holders of or applicants for an operating license under 10 CFR Part 50, except those; 1) Part 50 licensees who have permanently ceased operations, 2) certified that fuel has been permanently removed from the reactor vessel, and 3) removed all fuel from the spent fuel pool." This is entirely consistent with our comments in our June 15, 2013 letter to the Secretary.<sup>1</sup>

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<sup>1</sup> The DPC commented on the NRC's Advance Notice of Proposed Rulemaking: "Onsite Emergency

We greatly appreciate the Commission's attention to our comments in this matter and urge that this applicability statement be included in the future rulemaking documents.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael S. Callahan". The signature is written in a cursive, flowing style.

Michael S. Callahan  
On behalf of the Decommissioning Plant Coalition