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TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

December 4, 2013

Christian Einberg, Acting Deputy Director
Division of Materials, Safety, and State Agreements
Office of Federal and State Materials and
Environmental Management Programs
United States Nuclear Regulatory Commission
Washington, D.C., 20555

Dear Mr. Einberg:

Thank you for your letter of October 3, 2013 in which you express the Nuclear Regulatory Commission's (NRC) position on the interest rate for the funding of long-term care for uranium milling facilities. We agree that the 2% interest rate for uranium milling facilities in our current regulations is incompatible with NRC regulations (Compatibility Category C). We propose to modify our regulations to address your comment as soon as is practicable. In addition, we will provide your office with a copy of the "as published" regulations for your review.

Again, thank you for your review. Please contact me at (512) 239-5308 if there are any further comments or questions.

Sincerely,



Charles Maguire, Director
Radioactive Materials Division



TEXAS COMMISSION ON
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