

September 11, 2015

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

Dear Mr. Chairman

On behalf of the U.S. Nuclear Regulatory Commission (NRC), I am responding to your letter of July 15, 2015, which discusses concerns you and colleagues have regarding the NRC staff's use of qualitative factors to justify new regulatory requirements that are not cost-justified under Title 10 of the *Code of Federal Regulations* Section 50.109, commonly referred to as the "Backfit Rule." Responses to your specific questions are enclosed. The Commission recognizes your concerns on this issue, and we will consider them as we deliberate on the matters before us. On August 25, 2015, the Commission reiterated its support for ongoing staff efforts to address the cumulative effects of regulation and for the consideration of risk insights in regulatory decision making and indicated that the staff should use its existing authorities to ensure that the NRC's regulatory actions are properly prioritized, taking into account risk information.

If you need any additional information, please contact me or Eugene Dacus, Director of the Office of Congressional Affairs, at (301) 415-1776.

Sincerely,

*/RA/*

Stephen G. Burns

Enclosure:  
As stated

cc: Senator Barbara Boxer

**Identical letter sent to:**

The Honorable James Inhofe  
Chairman, Committee on Environment  
and Public Works  
United States Senate  
Washington, DC 20510  
cc: Senator Barbara Boxer

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

The Honorable David Vitter  
Committee on Environment and Public Works  
United States Senate  
Washington, DC 20510

The Honorable John Barrasso  
Committee on Environment and Public Works  
United States Senate  
Washington, DC 20510

The Honorable Mike Crapo  
Committee on Environment and Public Works  
United States Senate  
Washington, DC 20510

The Honorable John Boozman  
Committee on Environment and Public Works  
United States Senate  
Washington, DC 20510

The Honorable Jeff Sessions  
Committee on Environment and Public Works  
United States Senate  
Washington, DC 20510

The Honorable Deb Fischer  
Committee on Environment and Public Works  
United States Senate  
Washington, DC 20510

The Honorable M. Michael Rounds  
Committee on Environment and Public Works  
United States Senate  
Washington, DC 20510