



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D.C. 20555-0001

July 12, 2016

ALL AGREEMENT STATES, VERMONT, WYOMING  
STATE LIAISON OFFICERS, ALL TRIBES WITHIN FIFTY MILE RADIUS OF AN OPERATING  
POWER REACTOR, AND THE SENECA NATION

OPPORTUNITY TO COMMENT ON CONSIDERATION OF RULEMAKING TO ADDRESS  
PROMPT REMEDIATION OF RESIDUAL RADIOACTIVITY DURING OPERATON  
(STC-16-053)

**Purpose:** To notify States and Tribes of an opportunity to provide comment on the need for potential rulemaking to address prompt remediation of residual radioactivity during the operational phase at licensed material sites and nuclear reactors.

**Background:** The NRC staff is soliciting feedback on the implementation of the Decommissioning Planning Rule (76 FR 33512; <https://federalregister.gov/a/2011-14267>), which went into effect in late 2012, at both power reactor and nuclear materials facilities. The Decommissioning Planning Rule applies to the operational phase of a licensed facility, and requires licensees to operate in a way to minimize spills, leaks, and other unplanned releases of radioactive contaminants into the environment. It also requires licensees to check periodically for radiological contamination throughout the site, including subsurface soil and groundwater. The Decommissioning Planning Rule does not have a mandatory requirement for licensees to conduct radiological remediation during operation.

However, in 2013 the Commission directed the staff to collect data through 2015 on the success or shortcomings of the Decommissioning Planning Rule, analyze it, and make a recommendation for or against additional rulemaking to put in place requirements for mandatory radiological remediation during operation, also known as prompt remediation. Such rulemaking, if enacted, would require licensees in certain circumstances to take action to remediate unintended contamination (i.e., leaks and spills) within a certain timeframe, rather than allowing them to evaluate the impact of the situation and address it during the decommissioning process, or by providing additional financial assurances to ensure resources are available for remediation at a later date.

**Discussion:** Enclosed with this letter is the *Federal Register* notice supporting this request for comments on the implementation of the Decommissioning Planning Rule. The notice was published in the *Federal Register* (81 FR 43959) on July 6, 2016 and posted on the Federal e-rulemaking portal [www.regulations.gov](http://www.regulations.gov) under Docket No. NRC-2011-0162. The *Federal Register* notice can also be accessed at: <https://federalregister.gov/a/2016-15949>.

STC-16-053

2

Comments are due by August 22, 2016, and the *Federal Register* notice details how to submit your comments.

If you have any questions regarding this correspondence, please contact the individual named below:

POINT OF CONTACT: Marlayna Vaaler  
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Daniel S. Collins, Director  
Division of Material Safety, State, Tribal  
and Rulemaking Programs  
Office of Nuclear Material Safety  
and Safeguards

Enclosure:  
*Federal Register* Notice

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