

September 13, 2013

**ALL AGREEMENT AND NON-AGREEMENT STATES  
ALL AGREEMENT AND NON-AGREEMENT STATE RADIATION CONTROL  
PROGRAM DIRECTORS  
STATE LIAISON OFFICERS**

**OPPORTUNITY TO COMMENT ON DRAFT GENERIC ENVIRONMENTAL  
IMPACT STATEMENT AND PROPOSED RULE TO AMEND 10 CFR PART 51 – WASTE  
CONFIDENCE - CONTINUED STORAGE OF SPENT NUCLEAR FUEL (FSME-13-094)**

**Purpose:** To inform you of the opportunity to comment on a draft generic environmental impact statement and a proposed rule on waste confidence.

**Background:** The U.S. Nuclear Regulatory Commission (NRC) is proposing to amend its regulations in Part 51 to Title 10 of the *Code of Federal Regulations* (10 CFR) that addresses the environmental impacts of continued storage of spent nuclear fuel. The proposed rule would revise the generic determination on the environmental impacts of storage of spent nuclear fuel after the end of a reactor's licensed life for operation and prior to ultimate disposal that is contained in 10 CFR Part 51.23. The NRC has prepared draft NUREG-2157, "Waste Confidence Generic Environmental Impact Statement" (GEIS) to support this rulemaking (<http://pbadupws.nrc.gov/docs/ML1322/ML13224A106.pdf>). The draft GEIS and the Proposed Rule *Federal Register* Notice, which was published in the *Federal Register* on September 13, 2013, are both available in the Agencywide Documents Access and Management System (ADAMS) under Accession No. ML13256A089, at <http://www.regulations.gov> under Docket ID: NRC-2012-0246, and the NRC's Waste Confidence Web site at <http://www.nrc.gov/waste/spent-fuel-storage/wcd.html>. The public comment period ends November 27, 2013.

**Discussion:** The draft GEIS describes the impacts from continued storage of spent nuclear fuel beyond the licensed life for operation of a power reactor and provides the basis for the generic determination contained in the proposed rule. The draft GEIS and proposed rule provided by using the above sources, is for your review and comment. If you have any comments on the draft GEIS or the proposed rule, please send them by November 27, 2013. Comments received after this date will be considered if it is practical to do so, but the Commission is able to assure consideration only for comments received on or before this date. Information about methods for submitting your comments is available in the enclosed *Federal Register* notice.

The NRC is also planning to hold ten public meetings around the country and two webcast meetings nationally. Information about the meetings is available on the Waste Confidence Web site at <http://www.nrc.gov/waste/spent-fuel-storage/wcd.html>.

**NRC point of contact:** If you have any questions regarding this communication, please contact one of the individuals named below.

POINT OF CONTACT: Jeffery Lynch  
TELEPHONE: 301-415-5041

INTERNET: [Jeffery.Lynch@nrc.gov](mailto:Jeffery.Lynch@nrc.gov)  
FAX: 301-415-5955

POINT OF CONTACT: Merri Horn  
TELEPHONE: 301-287-9167

INTERNET: [Merri.Horn@nrc.gov](mailto:Merri.Horn@nrc.gov)  
FAX: 301-287-0500

POINT OF CONTACT: Sarah Lopas  
TELEPHONE: 301-287-0675

INTERNET: [Sarah.Lopas@nrc.gov](mailto:Sarah.Lopas@nrc.gov)  
FAX: 301-287-0500

***/Deborah Jackson RA for/***

Christopher G. Miller, Director  
Division of Intergovernmental Liaison  
and Rulemaking  
Office of Federal and State Materials  
and Environmental Management Programs

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POINT OF CONTACT: Jeffery Lynch  
 TELEPHONE: 301-415-5041

INTERNET: Jeffery.Lynch@nrc.gov  
 FAX: 301-415-5955

POINT OF CONTACT: Merri Horn  
 TELEPHONE: 301-287-9167

INTERNET: Merri.Horn@nrc.gov  
 FAX: 301-287-0500

POINT OF CONTACT: Sarah Lopas  
 TELEPHONE: 301-287-0675

INTERNET: Sarah.Lopas@nrc.gov  
 FAX: 301-287-0500

***/Deborah Jackson RA for/***

Christopher G. Miller, Director  
 Division of Intergovernmental Liaison  
 and Rulemaking  
 Office of Federal and State Materials  
 and Environmental Management Programs

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<b>NAME</b>	MHorn	Almboden	JLynch	CMiller (DJackson for)
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