

March 22, 2000

Mr. Paul M. Blanch
135 Hyde Road
West Hartford, CT 06117

Dear Mr. Blanch:

During a public meeting in Meriden, CT, in October 1999, you requested that the NRC staff identify to you which regulations in Title 10 of the *Code of Federal Regulations* (CFR) apply to power reactor facilities in the decommissioning phase of plant life. A decommissioning nuclear power facility still retains an operating license that subjects it to most of the requirements in 10 CFR Part 50 (unless excluded from a requirement on the basis of conditions specified in specific regulations) even though a decommissioning facility's authority to operate has been removed. The staff recognizes that many of the requirements specified in 10 CFR Part 50 were promulgated without full consideration of applicability to facilities in a permanently shutdown status. In an effort to distinguish the regulations applicable only to operating nuclear power plants from those applicable to decommissioning, the NRC staff contracted with a National Laboratory to screen Title 10 of the *Code of Federal Regulations* for applicability to decommissioning nuclear power plants with emphasis on identifying those regulations that need clarification or modification. At this time, we are still reviewing the contractor results before making the decommissioning regulatory assessment public. SECY-99-168, dated June 30, 1999, explains that the purpose of the decommissioning regulatory review is part of a long-term regulatory improvement initiative for decommissioning nuclear power plants and that the results of the regulatory review may be used to support future rulemaking. Furthermore, the decommissioning regulatory applicability review will facilitate identification of those decommissioning regulations that can be improved through the rulemaking process.

I will send you a copy of the results of our regulatory applicability study for decommissioning nuclear power plants when it is ready to be shared with the public stakeholders. We hope to have it out within the next few months. If you have any additional questions, please feel free to contact me at 301-415-1395.

Sincerely,

/RA/

Stuart A. Richards, Director
Project Directorate IV & Decommissioning
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

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