

Mr. Gerard P. Van Noordennen
EnergySolutions, LLC
299 South Main Street, Suite 1700
Salt Lake City, UT 84111

Dear Mr. Van Noordennen:

I am responding to your petition for rulemaking (PRM) dated February 22, 2019 (Agencywide Documents Access and Management System Accession No. ML19079A293). The petition, docketed by the U.S. Nuclear Regulatory Commission (NRC) as PRM-50-119, requested that the NRC revise its regulations to allow access to the decommissioning trust fund for the removal of major radioactive components before the permanent cessation of operations and revise the definition of decommissioning.

The NRC published a notice of docketing and request for comment in the *Federal Register* on June 12, 2019 (84 FR 27209). The public comment period closed on August 26, 2019. The NRC received a total of six public comment submissions from the general public and industry, with five commenters supporting the petition and one commenter opposing the petition.

The NRC considered the petition, public comments, and the concerns raised therein, and finds that the petition does not raise a significant safety or security concern, and this subject area is adequately covered by existing NRC regulations. Therefore, the NRC is denying PRM-50-119 because existing NRC regulations provide reasonable assurance of adequate protection of public health and safety. Upon publication of the enclosed notice, the NRC will close the docket for PRM-50-119.

The NRC tracks the status of all PRMs on its Web sites at <https://www.nrc.gov/reading-rm/doc-collections/rulemaking-ruleforum/petitions-by-year.html> and <https://www.nrc.gov/about-nrc/regulatory/rulemaking/rules-petitions.html>. The notice and the public comments that were submitted on the petition can be found at www.regulations.gov under Docket ID NRC-2019-0083.

If you have any questions regarding this matter, please direct them to Solomon Sahle, by calling 301-415-3781 or by e-mailing Solomon.Sahle@nrc.gov.

Sincerely,

Annette L. Vietti-Cook
Secretary of the Commission

Enclosure:
Federal Register notice