



# NRC NEWS

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## NRC ISSUES NEW ENVIRONMENTAL PROTECTION REQUIREMENTS TO AVOID FUTURE LEGACY SITES WITH RADIOACTIVE MATERIAL

The Nuclear Regulatory Commission has published a final rule designed to prevent future “legacy sites” with insufficient funds for decommissioning by requiring licensees to minimize the introduction of residual radioactivity at their sites during operations. A legacy site is a facility with an owner who cannot complete complex decommissioning work for technical or financial reasons.

The rule, published today in the *Federal Register*, requires owners licensed by the NRC to keep survey records of residual radioactivity, including in the subsurface soil and groundwater, with records important for decommissioning. It also requires certain licensees to report additional details in their decommissioning cost estimates and amend some financial assurance mechanisms for decommissioning planning.

Facilities that process large quantities of radioactive material, especially in liquid form, have the potential for significant environmental contamination due to the scale of their operations. Over time, leaks from these facilities can lead to significant radioactive contamination of the subsurface soil and groundwater, even though the radiation doses from these releases are well below annual regulatory limits for public and occupational exposure.

In addition, the high costs of disposing of radioactive material offsite may lead licensees to store more waste onsite, increasing the potential for subsurface radioactive contamination and significantly higher decommissioning costs.

Licensees are currently required to perform surveys to verify that radioactive effluent releases are below regulatory requirements and do not pose public health hazards. However, the NRC believes that existing regulations were not clear enough concerning subsurface contamination and required interpretation to apply to long-term environmental conditions. Surveys have rarely been performed to assess the radiological hazard of chronic releases and subsurface contamination, because these were not specifically defined as effluent releases, represent small fractions of the regulatory limits on effluent releases, and do not cause immediate exposure either to workers or the public.

The final rule also requires more detailed reporting by licensees and tightens NRC control over certain financial instruments set aside to cover eventual decommissioning costs.

The new regulations will take effect Dec. 17, 2012.

A proposed rule detailing these new requirements was published in the *Federal Register* on Jan. 22, 2008. The agency received 35 comment letters on the proposed rule from states, licensees, industry organizations, environmental advocacy groups, and a member of the public. The public comments prompted several changes in the final rule, which are detailed in the current *Federal Register* notice.

The Commission approved the final rule [Nov. 30](#), directing some edits. The rule underwent review by the Office of Management and Budget before publication.

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