**Financial Assurance for Materials Licensees Parts 30, 40, 70**

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| **Change to NRC**  **Section** | **Title** | **State Section** | **Compatibility**  **Category** | **Summary of Change to CFR** | **Difference**  **Yes/No** | **Significant**  **Yes/No** | **If Difference, Why or Why Not Was a Comment Generated** |
| --- | --- | --- | --- | --- | --- | --- | --- |
| **30**.35 | Financial assurance and recordkeeping for decommissioning |  | H&S | **Amended Paragraphs (a)&(e):**  (a)(1) Each applicant for a specific license authorizing the possession and use of unsealed byproduct material of half-life greater than 120 days and in quantities exceeding **10**5 times the applicable quantities set forth in appendix B to **part** **30** shall submit a decommissioning funding plan as described in paragraph (e) of this section. The decommissioning funding plan must also be submitted when a combination of isotopes is involved if R divided by **105**  is greater than 1 (unity rule), where R is defined here as the sum of the ratios of the quantity of each isotope to the applicable value in appendix B to **part** **30**. (2) Each holder of, or applicant for, any specific license authorizing the possession and use of sealed sources or plated foils of half-life greater than 120 days and in quantities exceeding **1012** times the applicable quantities set forth in appendix B to **part** **30** (or when a combination of isotopes is involved if R, as defined in Sec. **30**.35(a)(1), divided by **1012** is greater than 1), shall submit a decommissioning funding plan as described in paragraph (e) of this section. The decommissioning funding plan must be submitted to NRC by December 2, 2005.  (e) Each decommissioning funding plan must contain a cost estimate for decommissioning and a description of the method of assuring funds for decommissioning from paragraph (f) of this section, including means for adjusting cost estimates and associated funding levels periodically over the life of the facility. Cost estimates must be adjusted at intervals not to exceed 3 years. The decommissioning funding plan must also contain a certification by the licensee that financial assurance for decommissioning has been provided in the amount of the cost estimate for decommissioning and a signed original of the financial instrument obtained to satisfy the requirements of paragraph (f) of this section. |  |  |  |
| 30.35 | Financial assurance and recordkeeping for decommissioning |  | D | **Amended Paragraphs (c)(2), (c)(5)&(d):** | N/A |  |  |
| 40.36 | Financial assurance and recordkeeping for decommissioning |  | H&S | **Amended Paragraphs (b)(2)&(d):** (b)(2) Submit a certification that financial assurance for decommissioning has been provided in the amount of $225,000 by June 2, 2005 using one of the methods described in paragraph (e) of this section. For an applicant, this certification may state that the appropriate assurance will be obtained after the application has been approved and the license issued but before the receipt of licensed material. If the applicant defers execution of the financial instrument until after the license has been issued, a signed original of the financial instrument obtained to satisfy the requirements of paragraph (e) of this section must be submitted to NRC prior to receipt of licensed material. If the applicant does not defer execution of the financial instrument, the applicant shall submit to NRC, as **part** of the certification, a signed original of the financial instrument obtained to satisfy the requirements of paragraph (e) of this section.  (d) Each decommissioning funding plan must contain a cost estimate for decommissioning and a description of the method of assuring funds for decommissioning from paragraph (e) of this section, including means for adjusting cost estimates and associated funding levels periodically over the life of the facility. Cost estimates must be adjusted at intervals not to exceed 3 years. The decommissioning funding plan must also contain a certification by the licensee that financial assurance for decommissioning has been provided in the amount of the cost estimate for decommissioning and a signed original of the financial instrument obtained to satisfy the requirements of paragraph (e) of this section. |  |  |  |
| 40.36 | Financial assurance and recordkeeping for decommissioning |  | D | **Amended Paragraph: (c)(2)** | N/A |  |  |
| 70.25 | Financial assurance and recordkeeping for decommissioning |  | D | **Amended Paragraphs (c)(2)&(d):** | N/A |  |  |
| 70.25 | Financial assurance and recordkeeping for decommissioning |  | H&S | **Amended Paragraph (e):** (e) Each decommissioning funding plan must contain a cost estimate for decommissioning and a description of the method of assuring funds for decommissioning from paragraph (f) of this section, including means for adjusting cost estimates and associated funding levels periodically over the life of the facility. Cost estimates must be adjusted at intervals not to exceed 3 years. The decommissioning funding plan must also contain a certification by the licensee that financial assurance for decommissioning has been provided in the amount of the cost estimate for decommissioning and a signed original of the financial instrument obtained to satisfy the requirements of paragraph (f) of this section. |  |  |  |