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NRC AMENDS REGULATIONS ON NOTIFICATIONS
REGARDING FUNDING AND MANAGEMENT OF SPENT FUEL

The Nuclear Regulatory Commission is amending its regulation dealing with notifications to the NRC regarding funding and management plans for spent fuel by utility licensees which shut down nuclear power reactors before the expected end of their operating life.

Currently utility licensees are required to make these notifications to the NRC no later than five years before an operating license expires, regardless of the operating status of the facility. The amendment requires licensees to make the notifications within two years after permanently ceasing operations at a licensed nuclear power reactor or no later than five years before the operating license expires, whichever event occurs first.

The change makes the requirement consistent with another requirement that licensees owning prematurely-shutdown nuclear power plants submit decommissioning plans to the NRC within two years of ceasing operations. Decommissioning plans must take into account such factors as the unavailability of a disposal facility for spent fuel and other site specific factors affecting the licensee's capability to carry out decommissioning safely.

The change also reflects the altered circumstances since the NRC's decommissioning regulations became effective in 1988. At that time, premature closing of nuclear power plants was not expected to be very likely and the Department of Energy planned to have a repository for the disposal of spent fuel in operation by 1998. Now, the number of nuclear power plants closed prematurely has increased over previous expectations and the Department of Energy has delayed opening of a repository until at least 2010.

The amendment to Part 50 of the Commission's regulations will become effective on April 4.

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