

Ms. Gerda Bal
ONDRAF/National Agency for Radioactive Waste
and Enriched Fissile Material
Madouplein 1 Bus 24
1210 Brussels, Belgium

**SUBJECT: ADEQUATE FUNDS AVAILABLE FOR DECOMMISSIONING AND MAINTAINING
FINANCIAL PLAN UNTIL DECOMMISSIONING IS COMPLETE**

Dear Ms. Bal:

I am responding to your electronic mail inquiry dated April 6, 2000, concerning funds available for decommissioning and maintaining financial requirements. The U.S. Nuclear Regulatory Commission (NRC) has established regulations that require licensees to set aside sufficient funding during operations to assure funds will be available to decommission their facilities. The applicable regulations are contained in Title 10 of the Code of Federal Regulations, Energy, Parts 1-199. The specific sections containing financial assurance requirements are: Section 35 of 10 CFR Part 30, "Rules of General Applicability to Domestic Licensing of Byproduct Material"; Section 36 of 10 CFR Part 40, "Domestic Licensing of Source Material"; Section 75 of 10 CFR Part 50, "Domestic Licensing of Production and Utilization Facilities"; Section 25 of 10 CFR Part 70, "Domestic Licensing of Special Nuclear Material"; and Section 30 of 10 CFR Part 72, "Licensing Requirements for the Independent Storage of Spent Nuclear Fuel and High-Level Waste." The purposes of the regulatory requirements are to ensure that the decommissioning of all licensed facilities will be accomplished in a safe and timely manner and that licensees will provide adequate funds to cover all costs associated with decommissioning. We have enclosed a copy of the applicable regulations.

To support the licensee in understanding the financial requirements, and to assist the staff in reviewing the licensee's funding plan and mechanism, NRC has developed several guidance documents. Draft Regulatory Guide DG-3014, "Standard Format and Content of Financial Mechanisms Required for Decommissioning Under 10 CFR Parts 30, 40, 70, and 72" and NUREG-1337, Revision 2, "Standard Review Plan for the Review of Financial Assurance Mechanisms for Decommissioning Under 10 CFR Parts 30, 40, 70, and 72" are two of NRC's principal guidance documents. Draft DG-3014 provides guidance to NRC licensees and applicants on how to demonstrate financial assurance for decommissioning. The guide also establishes a standard format for presenting information to the NRC. The guides aid the licensee in ensuring that the information is complete, that the applicable regulatory requirements are met, and that adequate funding is provided to cover all the decommissioning costs. NUREG-1337 provides guidance to NRC staff to ensure the quality and uniformity of reviews, and to present a common base from which to evaluate financial assurance mechanisms. We

Ms. G. Bal

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have enclosed copies of both documents for your reference. Both documents are currently being revised.

If you have any questions, please contact Clayton Pittiglio, of my staff, at (301) 415-6702 or at clp@nrc.gov.

Sincerely,

/RA/

John T. Greeves, Director
Division of Waste Management
Office of Nuclear Material Safety
and Safeguards

Enclosures:

1. 10 CFR Parts 1 - 199
2. Draft Regulatory Guide DG-3014
3. NUREG-1337

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[Original signed by]
John T. Greeves, Director
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