

September 25, 2000

MEMORANDUM TO: William D. Travers
Executive Director for Operations

FROM: Margaret Federline, Acting Chairman **/RA/**
Committee To Review Generic Requirements

SUBJECT: MINUTES OF THE COMMITTEE TO REVIEW GENERIC
REQUIREMENTS MEETING NUMBER 359

The Committee To Review Generic Requirements (CRGR) held the Committee's 359th meeting on Tuesday, September 12, 2000, from 9:00 a.m. to 9:45 a.m. Attachment 1 includes the attendance list. The purpose of this meeting was for the CRGR to be briefed on the regulatory guidance on nuclear power reactor decommissioning that was recently published. The CRGR Chairman and staff had previously reviewed this and found they involved no backfits and did not have to be previewed by the CRGR prior to publication. The CRGR concurred.

Mr. Phillip Ray discussed the decommissioning process and Post-Shutdown Decommissioning Activities Report based on:

- Regulatory Guide 1.184 (DG-1067), "Decommissioning of Nuclear Power Reactors," July 2000, (Attachment 2 and ADAMS Accession No. ML003701137)
- Regulatory Guide 1.185 (DG-1971), "Standard Format and Content for Post-Shutdown Decommissioning Activities Report," July 2000, (Attachment 3 and ADAMS Accession No. ML003701163)

Both were released in draft form, in June 1997, to explain the regulations on decommissioning procedures published on July 29, 1996. Mr. Ray's presentation materials may be found in Attachment 4 (ADAMS Accession No. ML003749781).

Mr. Ray briefly described the steps and time limits in the decommissioning process, as required by 10 CFR §50.82 and other applicable regulations. A written certification from a licensee to the NRC is required within 30 days of the decision to permanently cease operations. Once the NRC has docketed the licensee's certification that fuel has been permanently removed from the reactor vessel, the licensee is no longer allowed to operate the reactor or move fuel into the reactor vessel. This eliminates some regulatory requirements on reactor operation and entitles the licensee to a fee reduction.

The licensee must submit a Post-Shutdown Decommissioning Activities Report (PSDAR) prior to or within 2 years of permanent cessation of operations. The purpose of the PSDAR is to inform the public of the decommissioning activities, assist in scheduling NRC resources for oversight, ensure the licensee has considered the costs of decommissioning process and activities, and ensure that impacts are bounded by the environmental impact statements. No major decommissioning activities may be performed until 90 days after the NRC receives the PSDAR. This allows the NRC to examine the PSDAR, publish notification of its receipt, hold a public meeting near the facility, and conduct any necessary safety inspections, prior to removal of major radioactive components, permanent structural modifications, or component dismantlement for waste shipment. Mr. Ray also described the contents of the PSDAR.

10 CFR §50.82.a.6 requires that the licensee refrain from performing any decommissioning activity that forecloses release of the site for possible unrestricted use, results in any significant environmental impact not previously reviewed, or results in there no longer being reasonable assurance that adequate funds will be available for decommissioning.

10 CFR §50.82 requires the licensee to submit a site-specific cost estimate, a detailed estimate of costs in the PSDAR, and an updated site-specific cost estimate for remaining activities in the License Termination Plan. Draft regulatory guidance for these cost estimates will be available for CRGR review in the next few months.

10 CFR §50.54(bb) requires licensees to submit a program, describing irradiated fuel management and funding until the fuel is transferred to the Secretary of Energy, to the NRC for approval within two years of permanent cessation of operation. Licensees must also apply at least two years prior to the PSDAR scheduled termination of their license.

One CRGR member expressed concern that the guidance did not specifically identify to whom licensees should send written changes. Mr. Masnik responded that they are to be sent through the NRC headquarters project manager, rather than the resident inspector.

Several CRGR members noted apparent differences between 10 CFR §50.82.a.6. and 10 CFR §20.1403. The former precludes licensee activities during decommissioning that could foreclose release of a site for unrestricted use, while the latter specifies criteria for license termination under restricted conditions (such as those necessitated by contamination from operations). The CRGR recommended that the staff should consider clarifying the wording to eliminate the apparent inconsistency. Mr. Masnik agreed.

On an unrelated matter, the Committee agreed that the Chairman of the CRGR would host a session at the November 1-2, 2000, National Licensing Workshop to obtain stakeholder input on backfits, in accordance with Section III of Rev. 7 of the CRGR Charter.

Questions about these meeting minutes should be referred to Bob Spence at 301-415-6346.

cc: Commission (5)
SECY
F. Miraglia, OEDO
C. Paperiello, OEDO
R. Borchardt, OE
H. Bell, OIG
K. Cyr, OGC
J. Larkins, ACRS
H. Miller, R-I
L. Reyes, R-II
J. Dyer, R-III
E. Merschoff, R-IV
W. Kane, NMSS
A. Thadani, RES
S. Collins, NRR
CRGR members

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ADAMS Package No. ML003753715
ADAMS Attachment 1 ML003753705
ADAMS Attachment 2 ML003701137
ADAMS Attachment 3 ML003701163
ADAMS Attachment 4 ML003749781

Distribution
 CRGR R/F
 M. Masnik
 P. Ray

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OADR in ADAMS? (Y or N)	Y	Publicly Available? (Y or N)	Y
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DATE	09/21/00*		09/23/00*	

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CRGR MEETING No. 359
LIST OF ATTENDEES
(September 12, 2000)

CRGR Members

M. Federline, RES (Acting Chairman)
B. Mallett, R-II
J. Moore, OGC
B. Sheron, RES

NRC Staff

M. Masnik, Section Chief, NRR/DLPM/LPDIV-3
P. Ray, Project Manager, NRR/DLPM/LPDIV-3

CRGR Staff

R. Spence, RES