

# **Improving Decommissioning Regulations**

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# **NRC's Key Messages**

- 1. Maintain safety**
- 2. Enhance public confidence**
- 3. Improve effectiveness and efficiency**
- 4. Reduce unnecessary regulatory burden**

# **SECY 99-168 Overview**

- ◆ **Five year schedule**
- ◆ **Additional issues need to be addressed**
- ◆ **Additional guidance will assist decommissioning plants**

# **Significant Issues Need to be Addressed**

- ◆ **Site remediation criteria**
- ◆ **Design basis accidents**
- ◆ **Application of Part 50**
- ◆ **Rules for long term storage of HLW  
(10 CFR 72)**

# Consistent Application of Existing Regulations

- ◆ **Some inconsistency continues to exist (Security, FFD, QA, EP, FP, Codes & Standards, etc.)**  
*fitness for duty* *fire protection*
- ◆ **Regulation by exemption**
- ◆ **NUREG 6451 provides reasonable guidance**

# **Competing and Conflicting Regulatory Mandates need to be Resolved**

- ◆ **EPA vs NRC site remediation requirements**
- ◆ **On site disposal of "clean waste" needs clarification** *(i.e., rubbleization)*
- ◆ **NRC/EPA need to resolve total activity and/or average allowed concentrations**

# **Rules for Long Term Storage of HLW (10 CFR 72)**

- ◆ **General vs. Site Specific Part 72 license**
- ◆ **Site specific license will add burden, \$\$, and public hearings**
- ◆ **Part 50 does not properly address HLW storage**
- ◆ **Some licensees apply sections of Part 50 and Part 72**

# **Will Store HLW Without Clear Regulations**

- ◆ **10 CFR 50 does not properly address HLW storage**
- ◆ **10 CFR 72 provides clear regulations for HLW storage**
- ◆ **General (Part 72, Subpart K) license only intended for operating reactors**

# **All Design Bases Accidents Need to be Addressed**

- ◆ **Need to be risk based**
- ◆ **Considers zirconium fire**
- ◆ **Need to consider potential criticality**
- ◆ **Need to address other potential accidents**

# **Recommendations for the Commission**

- ◆ **Provide interim guidance (NUREG 6451) for decommissioning**
- ◆ **Direct the staff to proceed with rulemaking on an accelerated schedule**
- ◆ **Apply site specific requirements of 10 CFR 72 to decommissioning plants**

# **Recommendations for the Commission**

- ◆ **Evaluate all potential accidents**
- ◆ **Establish clear site remediation criteria**
- ◆ **Assure consistency and establish predictability**
- ◆ **Work closely with all stakeholders to enhance public confidence**