



*United States
Nuclear Regulatory Commission*

**DECOMMISSIONING
REGULATORY IMPROVEMENT**

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HOW CAN DECOMMISSIONING REGULATORY PROCESS BE IMPROVED?

- **NRC projects staff is evaluating options which will improve the regulation of nuclear power plants undergoing decommissioning**

- **Need for rulemaking clearly established in areas of**
 - **Emergency Planning**
 - **Financial Protection (Insurance)**
 - **Safeguards**
 - **Operator Staffing and Training Requirements**

- **Decisions related to these rulemakings are tied to the technical assessment of the spent fuel pool risks**

- **Staff intends to combine these rulemakings into an single, integrated, risk-informed rule once the technical assessment of spent fuel pool risks is completed**

HOW CAN DECOMMISSIONING REGULATORY PROCESS BE IMPROVED?

- **Staff is also considering a decommissioning regulatory improvement initiative that involves consolidating and relocating the decommissioning regulations of 10 CFR Part 50 to a dedicated location**
 - **Will only contain rules applicable to nuclear power plants that have permanently ceased operation**
 - **Will eliminate uncertainties as to rules that no longer apply to decommissioning**
 - **Will help identify other decommissioning regulatory problems and policy issues**
 - **Will help identify decommissioning regulations where risk-informing might reduce unnecessary regulatory burden**
 - **Will permit changes to decommissioning requirements without impacting operating licensees**

DECOMMISSIONING REGULATORY IMPROVEMENT INITIATIVE

- **The plan for consolidation of decommissioning regulations is envisioned to be accomplished in a phased approach**

Phase 1: Perform a detailed review of 10 CFR to identify regulations applicable to decommissioning. Segregate the regulations into the following four bins:

- Bin 1 - Regulations that are fully applicable to decommissioning nuclear power plants without substantive modification
- Bin 2 - Regulations that are not applicable to decommissioning nuclear power plants
- Bin 3 - Regulations that have indeterminate applicability to decommissioning nuclear power plants
- Bin 4 - Regulations that are applicable to decommissioning nuclear power plants to some extent but require substantive modifications. Items in this Bin would include:
 - regulations that are only partially applicable
 - regulations that may be applicable for only a limited time
 - regulations that are amenable to risk-informed, performance based approaches

DECOMMISSIONING REGULATORY IMPROVEMENT INITIATIVE

Phase 2: Construct a model for improving decommissioning regulatory framework

- Develop the structural framework in which the decommissioning regulations will be consolidated and located

Phase 3: Submit Rulemaking Plan for Decommissioning Regulatory Consolidation

- Identify regulatory problems and policy issues related to those regulations applicable to decommissioning that require substantive changes as categorized in Bins 3 and 4 (Phase 1) above.
- Provide detailed resource impact and schedule

Phase 4: Issue an ANPR to obtain stakeholder input on the content and framework of the improved decommissioning regulatory initiative

- **Periodic meetings with stakeholders would take place throughout the phases.**
- **Public input would proceed by normal processes once rulemaking commenced**

GOALS

- **Implementation of a plan for improving decommissioning regulations**
 - **To enhance the clarity, efficiency, and effectiveness of decommissioning regulations while maintaining safety**
 - **To improve public confidence in the regulatory process of decommissioning nuclear power reactors**
- **Integrate regulatory activities in the areas of EP, Insurance, Safeguards, and Operator Staffing & Training into a single, risk-informed rulemaking package**
- **Obtain management approval of plan and schedule for decommissioning regulatory initiative involving consolidation and relocation of decommissioning requirements to dedicated location within 10 CFR**