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CRCPD's Committee on Decommissioning and Decontamination (E-24)
Conference of Radiation Control Program Directors, Inc.
A Partnership Dedicated to Radiation Protection

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January 8, 2002

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USNRC

January 30, 2002 (5:06PM)

The Secretary
 U.S. Nuclear Regulatory Commission (NRC)
 Washington, DC 20555-0001
 Attention: Rulemakings and Adjudication's Staff

OFFICE OF THE SECRETARY
 RULEMAKINGS AND
 ADJUDICATIONS STAFF

Subject: U. S. NRC October 16, 2001 Advanced Notice of Proposed Rulemaking
 for Entombment Options for Power Reactors

Dear Secretary:

One of the charges of the Conference of Radiation Control Program Directors, Inc. (CRCPD) Decommissioning and Decontamination (D&D) Committee is to review and provide comment on D&D notices. As part of that charge, we are submitting comments on the Advanced Notice of Proposed Rulemaking for Entombment Options for Power Reactors, which was published in the Federal Register on October 16, 2001.

We are not selecting any one of the options outlined in your propose rulemaking because state opinions vary greatly on this issue. As you know, nuclear power plant D&D's are very case and location specific. Politics, money, land use and environmental concerns are all weighed differently in different states. Some states would never entertain an entombment option for a nuclear power plant D&D under any circumstances, while another state may see this alternative option as a practical solution for complex nuclear power plant D&D cases. In addition, most nuclear power plants will not consider the entombment option so this notice has limited application for most states.

Because of the limited applicability and wide range of opinions, we recommended the CRCPD that each state would best be served by submitting comments individually to the NRC on this subject. CRCPD contacted states to encourage this action. We also gathered information from several states. From this contact, we have some additional comments. The first two comments apply no matter which entombment option is selected.

Though the NRC has determined that entombment of power reactors is a technically viable decommissioning alternative and can be accomplished safely, very few States would support it. We recommend that the NRC try and determine the number of States that would consider an entombment option to determine if any rulemaking effort is necessary.

If the states' response to this notice is not sufficient to provide a full understanding of states' values and opinions on the subject, we recommend that the NRC extend the comment period and work with the Organization of Agreement States, the CRCPD, and our Committee to make sure

Office of the Committee Chairperson
Dennis Zannoni

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more states, if not all states, provide feedback on this subject. We are willing to help you on this subject.

While we can not speak for all states, we can share some information we gathered from our communications with them.

- Some States acknowledge that the entombment decommissioning option for nuclear power plants will arise under very limited situations, so it should be addressed on a case by case basis.
- Some States don't see the benefit of doing anything until a real entombment situation arises. With the added benefit of real experience, the NRC will be in a better position to develop whatever is necessary, along with the Stakeholders, to ensure that all issues are properly addressed.
- Some States see the benefit of adding flexibility to the 60-year decommissioning time frame.
- Some States would oppose any rule change that would transfer responsibility for entombed reactors to states, which some states consider as an unfunded mandate.
- Some States see the entombment option as a practical alternative solution for some limited complex nuclear power plant D&D cases but they also realize that the entombed nuclear power plant may become a permanent disposal site.
- Some States support option 3 as the only way to address funding issues, low level radioactive waste issues, greater-than-class-C issues, responsibility issues, and the license termination timeframe issue raised by the entombment option.

Regards,

Original signed by:

Dennis Zannoni, Chair
CRCPD E-24 Committee

C; Russel Takata, CRCPD Chair, Environmental Council
CRCPD E-24 Committee

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Date: Thu, Jan 17, 2002 8:29 AM
Subject: E-24 Letter to NRC

Attached you will find a copy of a letter that was sent to the NRC Secretary from the Chair of E-24, Dennis Zannoni relative to Proposed Rulemaking for Entombment Options for Power Reactors. If you should have any questions please contact Dennis Zannoni at 609/984-7440.

<<CRCPD CHAIR Entombment Letter.doc>>