

UNITED STATES
NUCLEAR REGULATORY COMMISSION
OFFICE OF NUCLEAR MATERIAL SAFETY AND SAFEGUARDS
WASHINGTON, D.C. 20555

March 7, 1990

NRC INFORMATION NOTICE NO. 90-16: COMPLIANCE WITH NEW DECOMMISSIONING RULE

Addressees:

All materials licensees.

Purpose:

This information notice is provided to remind licensees that the U.S. Nuclear Regulatory Commission (NRC) issued a rule, "Guidance Requirements for Decommissioning Nuclear Facilities," in the Federal Register on June 27, 1988. Licensees authorized to possess certain quantities of byproduct, source, or special nuclear material will need to submit financial assurance for decommissioning no later than July 27, 1990. It is expected that licensees will review this information for applicability to their licensed activities, and consider actions, if appropriate, to submit any required financial assurance documentation to the NRC. However, the information in this notice does not constitute any new NRC requirements, and no written response is required.

Background:

The NRC staff notified licensees of the final rule on a number of occasions since it became effective on July 27, 1988. Copies of the new regulation were mailed to all licensees in 1988. The NMSS Licensee Newsletter issues of September 1988, March 1989, and September 1989 discussed various aspects of the rule, guidance that was issued, and the compliance deadline of July 27, 1990, for holders of existing licenses.

Discussion:

The final rule, "General Requirements for Decommissioning Nuclear Facilities," (53 FR 24108) sets forth technical and financial criteria on the decommissioning of nuclear facilities and the termination of licenses. It applies to byproduct, source, and special nuclear material licenses issued pursuant to 10 CFR Parts 30, 40, 70 and 72. The new rule covers assuring funds for decommissioning, keeping records important to decommissioning, and taking steps required to terminate a license. All licensees have been required to comply with the recordkeeping and license termination requirements since the rule became effective in 1988.

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Licensees holding a Part 30, 40 or 70 license issued prior to July 27, 1988, have been allowed two years to submit any required financial assurance to the NRC. If you have not done so, you should evaluate the quantity of material authorized by your license and determine whether any financial assurance is required. If financial assurance is required, you must submit the necessary documentation or submit a request to reduce the quantity of material authorized by your license by July 27, 1990. The intent of the rule is to assure that adequate licensee funds are available for decommissioning all licensed facilities. A draft regulatory guide entitled "Standard Format and Content of Financial Assurance Mechanisms Required for Decommissioning Under 10 CFR Parts 30, 40, 70 and 72," January 1990, has been issued for comment. The draft guide discusses the information to be provided in a materials license application and establishes a uniform format for presenting the information required to meet the decommissioning financial assurance requirements. The draft guide also provides recommended wording for financial assurance instruments, cost estimating tables, and a conversion table for determining the amount of financial assurance required as a function of radionuclide activity levels.

With regard to recordkeeping, the new rule requires that licensees maintain certain records important to safe and effective decommissioning, in an identified location, until NRC terminates the license. These include records of spills or other contamination events, as-built drawings and modifications of structures and equipment in restricted areas, and records of decommissioning plans, cost estimates, and financial assurance measures. A draft Regulatory Guide, entitled "Records Important for Decommissioning for Licensees Under 10 CFR Parts 30, 40, 70 and 72," July 1989, has been issued for comment. This draft guide discusses which records must be kept as information important to safe and effective decommissioning.

With regard to license terminations, the new rule requires that licensees apply for license termination, submit a completed form NRC-314, and submit the results of a final radiation survey, when all activities involving authorized materials have been terminated. Where decommissioning work could increase potential health and safety impacts to workers or the public, the licensee must submit a decommissioning plan for review and approval, prior to performing the work. The final plan, if required, must contain an updated cost estimate for decommissioning and a plan for assuring the availability of adequate funds. Licensees should consult Regulatory Guide 3.65, "Standard Format and Content of Decommissioning Plans for Licensees Under 10 CFR Parts 30, 40 and 70," August 1989. It discusses what is needed in preparing and submitting a decommissioning plan prior to terminating a license.

No written response is required by this notice. If you have any questions about this information notice, please contact Louis M. Bykoski at (301) 492-0572 or Timothy C. Johnson at (301) 492-0558 or the appropriate NRC regional office.

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Attachments:

1. List of Recently Issued NMSS Information Notices
2. List of Recently Issued NRC Information Notices

LIST OF RECENTLY ISSUED
 NMSS INFORMATION NOTICES

Information Notice No.	Subject	Date of Issuance	Issued to
90-15	Reciprocity: Notification of Agreement State Radiation Control Directors before beginning work in Agreement States	03/07/90	All holders of NRC materials licenses which authorize use of radioactive material at temporary job sites
90-14	Accidental Disposal of Radioactive Materials	03/06/90	All NRC Byproduct Materials Licensees
90-09	Extended Interim Storage of Low-Level Radioactive Waste by Fuel Cycle and Materials Licensees	02/05/90	All holders of NRC materials licenses
90-01*	Importance of Proper Response to Self-Identified Violations by Licensees	01/12/90	All holders of NRC materials licenses
89-85	EPA's Interim Final Rule on Medical Waste Tracking and Management	12/15/89	All medical, academic, industrial, waste broker, and waste disposal site licensees
89-82	Recent Safety-Related Incidents at Large Irradiators	12/07/89	All U.S. NRC licensees authorized to possess and use sealed sources at large irradiators
89-78	Failure of Packing Nuts on One-Inch Uranium Hexafluoride Cylinder Valves	11/22/89	All U.S. NRC licensees authorized to possess and use source material and/or special nuclear material for the heating, emptying, filling, or shipping of uranium hexafluoride in 30- and 48-inch diameter cylinders

*Correct Number for 90-01 should be 90010145.

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90-15	Reciprocity: Notification of Agreement State Radiation Control Directors Before Beginning Work in Agreement States	3/7/90	All holders of NRC materials licenses which authorize use of radioactive material at temporary job sites.
90-14	Accidental Disposal of Radioactive Materials	3/6/90	All U.S. NRC byproduct material licensees.
90-13	Importance of Review and Analysis of Safeguards Event Logs	3/5/90	All holders of OLs or CPs for nuclear power reactors.
90-12	Monitoring or Interruption of Plant Communications	2/28/90	All holders of OLs or CPs for nuclear power reactors.
90-11	Maintenance Deficiency Associated with Solenoid-Operated Valves	2/28/90	All holders of OLs or CPs for nuclear power reactors.
90-10	Primary Water Stress Corrosion Cracking (PWSCC) of Inconel 600	2/23/90	All holders of OLs or CPs for PWRs.
90-09	Extended Interim Storage of Low-Level Radioactive Waste by Fuel Cycle and Materials Licensees	2/5/90	All holders of NRC materials licenses.
88-30, Supp. 1	Target Rock Two-Stage SRV Setpoint Drift Update	2/2/90	All holders of OLs or CPs for nuclear power reactors.
90-08	Kr-85 Hazards from Decayed Fuel	2/1/90	All holders of OLs or CPs for nuclear power reactors and holders of licenses for permanently shut-down facilities with fuel on site.

OL = Operating License
 CP = Construction Permit