

From: Peter Tam
To: David Helker; David Robillard
Date: 8/4/04 11:32AM
Subject: Oyster Creek - Information Required by 10 CFR 50.54(bb) **(TAC MC2996)**

Dave:

We are reviewing your 4/14/04 and 6/24/04 submittals on decommissioning cost estimate, and saw references to 10 CFR 50.54(bb). We assume that you attempted to use these submittals to address the requirements of this regulation.

The requirements of 10 CFR 50.54(bb) states: "For nuclear power reactors licensed by the NRC, the licensee shall, within 2 years following permanent cessation of operation of the reactor or 5 years before expiration of the reactor operating license, whichever ever occurs first, submit **written notification to the Commission for its review and preliminary approval of the program by which the licensee intends to manage and provide funding for the management of all irradiated fuel.** [emphasis added]...."

Your submittals identified costs associated with the decommissioning of Oyster Creek and discussed the storage of spent fuel; however, they did not specifically discuss the requirement regarding notification to the Commission, and the review and approval. In addition, the submittals did not address the funding mechanism to support the fuel management/storage program. Our reviewer, Larry Pittiglio, proposed that we have a conference call with you to clarify NRC's information need in this regard. Please call me to set up such a conference call.

This e-mail aims solely to prepare you and others for the proposed conference call. It does not convey a formal NRC staff position, nor does it formally request for additional information.

Peter S. Tam, Senior Project Manager
Project Directorate I-1
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

e-mail: pst@nrc.gov Tel.: 301-415-1451

CC: Brian Thomas; Clayton Pittiglio; Michael Dusaniwskyj

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