

October 21, 2004

MEMORANDUM TO: Luis A. Reyes
Executive Director for Operations

FROM: Annette L. Vietti-Cook, Secretary */RA/*

SUBJECT: COMSECY-04-0059 - STATUS OF DECOMMISSIONING
PROGRAM - 2004 ANNUAL REPORT

The Commission has approved publication of the NUREG on the status of the NRC decommissioning program as contained in COMSECY-04-0059, subject to the following comments and edits.

1. This paper did not ask for any decision from the Commission. In future policy papers that are not provided for information only, the staff should clearly identify what they are asking the Commission to approve.
2. An additional appendix should be added to the report which lists sites by state, with the sites listed alphabetically within each state. Each site listed should have a cross reference to the appropriate page which contains the detailed site status.
3. The discussions for the research and test reactors are inconsistent in describing the status of the fuel. All the research and test reactors should have a brief discussion of the status of both fresh and spent fuel on the site. For example, the discussion of the University of Buffalo reactor states that there is no firm date for DOE to accept shipment of the fuel. It is the Commission's understanding that all fresh fuel has been shipped to another site and they are waiting on DOE to accept the spent fuel.
4. The title for section 10.3 (page 35) should be clarified to more clearly describe the actions in this section for someone outside the NRC organizational structure. These facilities are undergoing partial site decommissioning and will remain an active NRC licensee. The title for section 10.3 should be something similar to "Fuel Cycle Facility Decommissioning at Active Facilities". The discussion at the start of 10.3.1 should state that some active sites are undergoing partial decommissioning and will remain as active licensees. These sites remain the responsibility of the Division of Fuel Cycle Safety and Safeguards. This change will clarify the discussion for someone not familiar with the NRC organization.
5. The word "Sioux" (as in Sioux Falls, SD) is spelled incorrectly twice - see item number 28 on page 28 and at the top of page C-30).

6. The discussion for Millstone - Unit 1 (page A-9) and for Saxton (page A-14) should include a brief discussion on the fact that these units are under the responsibility of NRR and when (if ever) they are anticipated to be transferred to NMSS. The other facilities remaining under NRR responsibility have such language and the report should be consistent.

cc: Chairman Diaz
Commissioner McGaffigan
Commissioner Merrifield
OGC
CFO
OCA
OIG
OPA
Office Directors, Regions, ACRS, ACNW, ASLBP (via E-Mail)
PDR