



REGULATORY GUIDE

OFFICE OF NUCLEAR REGULATORY RESEARCH

REGULATORY GUIDE 3.65

(Draft was issued as DG-3027, dated December 2007)

STANDARD FORMAT AND CONTENT OF DECOMMISSIONING PLANS FOR MATERIALS LICENSEES

A. INTRODUCTION

This regulatory guide provides guidance on decommissioning leading to termination of a materials license. Licensees decommissioning their facilities are required to demonstrate to the US Nuclear Regulatory Commission (NRC) that their proposed methods will ensure that decommissioning activities can be conducted safely, and that, at the completion of decommissioning activities, the facility will comply with NRC requirements for license termination as described in Title 10 of the *Code of Federal Regulations* (10 CFR). In particular, licensees are required to demonstrate compliance with the following parts of 10 CFR:

- Part 30, “Rules of General Applicability to Domestic Licensing of Byproduct Material”
- Part 40, “Domestic Licensing of Source Material”
- Part 60, “Disposal of High-Level Radioactive Wastes in Geologic Repositories”
- Part 61, “Licensing Requirements for Land Disposal of Radioactive Waste”
- Part 63, “Disposal of High-Level Radioactive Wastes in a Geologic Repository at Yucca Mountain, Nevada”
- Part 70, “Domestic Licensing of Special Nuclear Material”
- Part 72, “Licensing Requirements for the Independent Storage of Spent Nuclear Fuel and High-Level Radioactive Waste, and Reactor Related Greater Than Class C Waste”

This regulatory guide endorses the method described in the current version of NUREG-1757, Volume 1, “Consolidated Decommissioning Guidance: Decommissioning Process for Materials Licensees” (Ref. 1) as a process that has been found acceptable to the NRC for meeting the regulatory

The NRC issues regulatory guides to describe and make available to the public methods that the NRC staff considers acceptable for use in implementing specific parts of the agency’s regulations, techniques that the staff uses in evaluating specific problems or postulated accidents, and data that the staff needs in reviewing applications for permits and licenses. Regulatory guides are not substitutes for regulations, and compliance with them is not required. Methods and solutions that differ from those set forth in regulatory guides will be deemed acceptable if they provide a basis for the findings required for the issuance or continuance of a permit or license by the Commission.

This guide was issued after consideration of comments received from the public.

Regulatory guides are issued in 10 broad divisions—1, Power Reactors; 2, Research and Test Reactors; 3, Fuels and Materials Facilities; 4, Environmental and Siting; 5, Materials and Plant Protection; 6, Products; 7, Transportation; 8, Occupational Health; 9, Antitrust and Financial Review; and 10, General.

Electronic copies of this guide and other recently issued guides are available through the NRC’s public Web site under the Regulatory Guides document collection of the NRC’s Electronic Reading Room at <http://www.nrc.gov/reading-rm/doc-collections/reg-guides/> and through the NRC’s Agencywide Documents Access and Management System (ADAMS) at <http://www.nrc.gov/reading-rm/adams.html> under Accession No. ML081130703.

requirements for the decommissioning of materials facilities licensed under 10 CFR Parts 30, 40, 70, and 72. Additionally, this regulatory guide endorses the decommissioning process described in Volume 1 of NUREG-1757 as an acceptable process for meeting the regulatory requirements for decommissioning the ancillary surface facilities that support radioactive waste disposal activities licensed under 10 CFR Parts 60, 61, and 63.

This regulatory guide contains information collections that are covered by the requirements of 10 CFR Parts 20, 30, 40, 60, 61, 63, 70, and 72 and that the Office of Management and Budget (OMB) approved under OMB control numbers 3150-0014, 3150-00017, 3150-0020, 3150-0127, 3150-0135, 3150-0199, 3150-0009, and 3150-0132, respectively. The NRC may neither conduct nor sponsor, and a person is not required to respond to, an information collection request or requirement unless the requesting document displays a currently valid OMB control number.

B. DISCUSSION

As part of its redesign of the materials license program, the NRC consolidated and updated numerous decommissioning guidance documents into NUREG-1757, “Consolidated Decommissioning Guidance.” The three volumes of NUREG-1757 are titled as follows:

- Volume 1, “Decommissioning Process for Materials Licensees” (Ref. 1)
- Volume 2, “Characterization, Survey, and Determination of Radiological Criteria” (Ref. 2)
- Volume 3, “Financial Assurance, Recordkeeping, and Timeliness” (Ref. 3)

These three volumes provide approved agency guidance and supersede the guidance in the earlier version of Regulatory Guide 3.65, “Standard Format and Content of Decommissioning Plans for Licensees Under 10 CFR Parts 30, 40, and 70,” issued August 1989; NUREG-1727, “NMSS Decommissioning Standard Review Plan,” issued September 2000; and NUREG/BR-0241, “NMSS Handbook for Decommissioning Fuel Cycle and Materials Licensees,” issued March 1997.

Volume 1 of NUREG-1757 provides a risk-informed, performance-based approach to the information needed to support an application for decommissioning a materials license and complying with the radiological criteria for license termination in Subpart E, “Radiological Criteria for License Termination,” of 10 CFR Part 20, “Standards for Protection Against Radiation.” Volume 1 of NUREG 1757 describes the approaches to license termination that will help to identify the information (subject matter and level of detail) needed to terminate a license based on the specific circumstances of the wide range of radioactive materials users licensed by the NRC. The NRC staff will use the guidance in the NUREG when reviewing license termination requests.

C. REGULATORY POSITION

This regulatory guide endorses the method described in the most current version of NUREG-1757, Volume 1, as a process that has been found acceptable to the NRC for meeting the regulatory requirements for termination of a materials license.

D. IMPLEMENTATION

The purpose of this section is to provide information to applicants and licensees regarding the NRC's plans for using this regulatory guide. The NRC does not intend or approve any imposition or backfit in connection with its issuance.

In some cases, applicants or licensees may propose or use a previously established acceptable alternative method for complying with specified portions of the NRC's regulations. Otherwise, the methods described in this guide will be used in evaluating compliance with the applicable regulations for license applications, license amendment applications, and amendment requests.

REFERENCES

1. U.S. Nuclear Regulatory Commission, “Consolidated Decommissioning Guidance: Decommissioning Process for Materials Licensees,” NUREG-1757, Volume 1, Washington DC, most current date and revision.¹ (<http://www.nrc.gov/reading-rm/doc-collections/nuregs/staff/sr1757/> .)
2. U.S. Nuclear Regulatory Commission, “Consolidated Decommissioning Guidance: Characterization, Survey, and Determination of Radiological Criteria,” NUREG-1757, Volume 2, Washington DC, most current date and revision.¹ (See <http://www.nrc.gov/reading-rm/doc-collections/nuregs/staff/sr1727/> .)
3. U.S. Nuclear Regulatory Commission, “Consolidated NMSS Decommissioning Guidance: Financial Assurance, Recordkeeping, and Timeliness,” NUREG-1757, Volume 3, Washington DC, most current date and revision.¹ (See <http://www.nrc.gov/reading-rm/doc-collections/nuregs/staff/sr1727/> .)

¹ The U.S. Nuclear Regulatory Commission published the three-volume NUREG-series identified herein. These volumes are available electronically through the Electronic Reading Room on the NRC’s public Web site, at <http://www.nrc.gov/reading-rm/doc-collections/nuregs/>. Copies are also available for inspection or copying for a fee from the NRC’s Public Document Room (PDR) at 11555 Rockville Pike, Rockville, MD; the mailing address is USNRC PDR, Washington, DC 20555; telephone (301) 415-4737 or (800) 397-4209; fax (301) 415-3548; email PDR@nrc.gov. In addition, copies are available at current rates from the U.S. Government Printing Office, P.O. Box 37082, Washington, DC 20402-9328, telephone (202) 512-1800, or from the National Technical Information Service (NTIS), at 5285 Port Royal Road, Springfield, VA 22161, online at <http://www.ntis.gov>, by telephone at (800) 553-NTIS (6847) or (703) 605-6000, or by fax to (703) 605-6900.