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# PUBLIC SUBMISSION

**Docket:** NRC-2015-0070

Regulatory Improvements for Power Reactors Transitioning to Decommissioning

**Comment On:** NRC-2015-0070-0001

Regulatory Improvements for Decommissioning Power Reactors

**Document:** NRC-2015-0070-DRAFT-0002

Comment on FR Doc # 2015-29536

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## Submitter Information

**Name:** Patrick Mulligan

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## General Comment

On behalf of Paul Baldauf, Director, New Jersey Department of Environmental Protection, Division of Energy, Security and Sustainability, I am submitting this request for an extension to the comment period for the ANPR on Regulatory Improvements for Decommissioning Power Reactors. See attached letter.

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## Attachments

NJDEP Request for Comment Period Extension



## State of New Jersey

DEPARTMENT OF ENVIRONMENTAL PROTECTION  
DIVISION OF ENERGY SECURITY AND SUSTAINABILITY

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CHRIS CHRISTIE  
*Governor*

KIM GUADAGNO  
*Lt. Governor*

BOB MARTIN  
*Commissioner*

December 1, 2015

Secretary  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555-0001  
ATTN: Rulemakings and Adjudications Staff

Docket ID NRC-2015-0070

Subject: Request for Comment Period Extension

On Thursday, November 19, 2015, the U.S. Nuclear Regulatory Commission (NRC) published an Advance Notice of Proposed Rulemaking (ANPR) for comment on the Regulatory Improvements for Decommissioning Power Reactors (See Federal Register/Vol. 80, No. 223/Thursday, November 19, 2015). Public comments on the ANPR are currently due by January 4, 2016.

For the following reasons, the New Jersey Department of Environmental Protection (NJDEP) asks that NRC extend the comment period for this critically important document.

Since 2013, five power reactors have permanently shut down, defueled, and are transitioning to decommissioning. For these decommissioning reactor licensees, the NRC has processed various license amendments and exemptions to establish a decommissioning regulatory framework, similar to the method used in the 1990s. In order for stakeholders to evaluate and respond to the ANPR, it will be necessary to review the historical document related to decommissioning, the interim guidance that has been issued since the rulemaking process was suspended by NRC and the case by case review of exemption requests and LARs approved by NRC for recently decommissioning reactors. NRC should be cognizant that the focus of stakeholders was also shifted for the same period and it will take some time to get current on the historical documents. NRC should also recognize and consider that stakeholders have been focused on reviewing and providing comment on several other significant updates to guidance documents for nuclear power reactors over the past 5 years. Most notable were the updates and implementation of NUREG-0654 Supplement 3 and NUREG-0654/ FEMA-REP-1, Revision 2 which concluded in October 2015.

The request for public comment in the federal register for the ANPR on decommissioning is comprehensive and lists a number of specific questions to be answered in detail. In total there are eight general topical areas to be addressed and approximately 67 specific questions listed in the ANPR. The NRC has specifically asked for stakeholders to provide detailed responses to many of those questions. In order for stakeholders to provide meaningful feedback to the process, it is critical to have the necessary time to review applicable documents and collaborate with other stakeholders to provide thoughtful and comprehensive input. It is unreasonable to expect stakeholders to formulate meaningful comments on such a large number of topical areas given the limited amount of time for public comment provided in the ANPR.

Finally, the timing on the release of the ANPR and the duration of the comment period is not ideal. The period of time included for the comments, spans one of the busiest holiday seasons of the year. Unless the comment period is extended, the collaborative process and formulation of meaningful and comprehensive comments will be hindered due to holidays and scheduled vacations. It will be nearly impossible to coordinate a comprehensive and collaborative approach to the development of a response given the time constraints.

For all of these reasons, the NJDEP respectfully requests that NRC extend the public comment period on Advance Notice of Proposed Rulemaking (ANPR) for comment on the Regulatory Improvements for Decommissioning Power Reactors to a full 90 day comment period which would make public comments due on or around February 17, 2016.

Should you require additional information relating to this request for extension, please contact Patrick Mulligan, Manager of the Bureau of Nuclear Engineering at (609) 984-7701 or [patrick.mulligan@dep.nj.gov](mailto:patrick.mulligan@dep.nj.gov)

Sincerely,

A handwritten signature in black ink that reads "Paul Baldauf". The signature is written in a cursive style with a large, looping initial "P".

Paul Baldauf, P.E., Director  
Division of Energy Security and Sustainability  
New Jersey Department of Environmental Protection

c. Frederick D. Brown, Acting Executive Director for Operations NRC