

## **Rulemaking1CEm Resource**

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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-0005

Comment on FR Doc # 2015-29536

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## Submitter Information

**Name:** Providence LEDbetter

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## General Comment

See attached file(s)

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## Attachments

P. Ledbetter Comment on Rule Regulatory Improvements for Decommissioning Power Reactors

December 7, 2015

U.S. Nuclear Regulatory Commission  
Frederick D. Brown,  
Acting Executive Director for Operations.

This is to discuss the proposed rule to stream line the process of decommissioning power plants. In order to maintain safety the NRC wants to establish regulation that would cover the power plants transition phase to decommission. It eliminates the need for grant specific exemption. This rule would provide continual protection of public health and safety, clarify the proper procedure for decommissioning power plants and resolve additional areas that have previously been left out by the NRC. Creating a decommissioning framework for power plants to ensure safety can offer the public reassurance that their well-being is not at risk. Knowing that there are guidelines that must be followed allows people to trust that a safety hazard is not waiting to melt down.

Altering the requirements of § 73.55(j)(4)(ii) from constant contact with control room to constant contact with supervisor seems like the proper response to an oversight in litigation. It would seem that the intention of the original rule was to have contact with the shift manager but did not consider in times of emergency, when the manger must handle situations outside of the control room, how to remain in constant contact. This is also reasonable as technologies improve allowing for better, and cheaper ways of staying in contact.

Offsite liability protection insurance is required for power plants because of the chance of a catastrophe happening causing severe damage. The NRC has recognized that decommissioned plants do not have the same probability of causing such damage. Most decommissioned plants apply for exemption from the two tier required insurance to a one tier \$100 million policy. These plants applying for exemption to the expensive insurance policy do not fall into the category required to have this. Instead of having each plant apply change the rule to already do this. One possible way of implementing

this is instead of writing a general rule create a rule that address each plant. Evaluate plants and create a decommissioning insurance minimum requirement and mitigation procedure for each one. Consideration of where the plant is located, how much damage would be received by cities and damage done to sensitive wildlife, the size of the reactor and possible event, as well as cost of cleanup should be done when evaluating requirements of power plants.

Codifying the minimum staffing at decommissioned power plants may be more than necessary regulation. Putting in place the actions that must be maintained is enough to cause plants to hire the proper staffing. The requirement of a certified fuel handler and one non-certified operator is not needed. Plants can decide proper staffing, and may find alternatives that better fit their individual needs and abilities. In addition, a minimum staffing requirement in control rooms is also not necessary. The plants will not be able to operate without proper staffing anyway so to regulate is only adding to the check list.

The NRC could, instead of regulating many of the issues it is proposing to, write a suggested best practices guide. It could include their suggestions as to what are the best safety protocol and why. With this information power plants could consider better management practices that would be easy to implement, choosing the ones best suited to their needs. Some requirements ensures safety, but allowing flexibility allows innovation.

Creating a more focused rule to managing decommissioned power plants is the next step in ensuring public safety related to nuclear power. It is important to create a standard operations guide so that safety concerns are addressed. Addressing issues that have arisen from previously written rules will make the decommissioning process better suited to the needs of the power plants. Rules designed with the needs of decommissioned plants in mind allows the plants to function at their highest capacity. Although some issues such as individual insurance policy should be addressed by the plan regulating staffing may be over reaching.