

Rulemaking1CEm Resource

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Subject: Comment on ANPR-26, 50, 52, 73, and 140 - Regulatory Improvements for Decommissioning
Attachments: Pierce Comment on behalf of Southern Nuclear.pdf

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Comment On: NRC-2015-0070-0007

Regulatory Improvements for Decommissioning Power Reactors; Extension of Comment Period

Document: NRC-2015-0070-DRAFT-0087

Comment on FR Doc # 2015-32599

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General Comment

See uploaded file NL-16-0432

Attachments

NL-16-0432

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NL-16-0432

Annette Vietti-Cook
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ATTN: Rulemakings and Adjudications Staff
Washington, D. C. 20555-0001

Southern Nuclear Operating Company
Comments on Advance Notice of Proposed Rulemaking on
Regulatory Improvements for Decommissioning Power Reactors
Docket ID NRC-2015-0070;

Ladies and Gentlemen:

On behalf of Joseph M. Farley Nuclear Plant, Edwin I Hatch Nuclear Plant, and Vogtle Electric Generating Plant, Southern Nuclear Operating Company (SNC) provides the following comments on the proposed rulemaking on Regulatory Improvements for Decommissioning Power Reactors which was published in the Federal Register on November 19, 2015 (80 FR 72358).

The U.S. Nuclear Regulatory Commission (NRC) issued this advance notice of proposed rulemaking (ANPR) to obtain input from stakeholders on the development of a draft regulatory basis. The draft regulatory basis would support potential changes to the NRC's regulations for the decommissioning of nuclear power reactors. The NRC's goals in amending these regulations are to provide an efficient decommissioning process, reduce the need for exemptions from existing regulations, and support the principles of good regulation, including openness, clarity, and reliability.

From SECY 13-0066 dated 6/20/13: "Each commercial power reactor licensee is required, pursuant to 10 CFR 50.75, to apply a decommissioning funding assurance process to demonstrate that the bulk of needed financial resources will be available for decommissioning activities. The formula establishes a minimum amount, or reference level, for which each commercial nuclear power reactor licensee must accumulate committed financial resources. By periodically recertifying to account for changing costs, and reporting that it is accumulating adequate financial resources during the operating life of the license, a licensee provides reasonable assurance for decommissioning funding."

As stated in the Statement of Considerations for 10 CFR 50.75:
"The amount listed as the prescribed amount (formula) does not represent the actual cost of decommissioning for specific reactors but rather is a reference level established to assure that licensees demonstrate adequate financial responsibility that the bulk of the funds necessary for a safe decommissioning are being

considered and planned for early in facility life, thus providing adequate assurance at that time that the facility would not become a risk to public health and safety when it is decommissioned." (53 FR 24030, June 27, 1988).

Licensees, per 10 CFR 50.75(c), must recalculate annually (and report biennially to the NRC) using an NRC-provided adjustment formula.

In response to the ANPR, SNC proposes that the NRC extend the reporting interval for decommissioning funding reports in 10 CFR 50.75(f)(1) from every two years to every five years. The annual calculations required by 10 CFR 50.75(b)(2) and (c)(2) provide ample assurance "that the bulk of needed financial resources will be available for decommissioning activities" during the 4 years between reports.

This proposed change serves the stated purpose of the ANPR in that it provides for a more efficient, less burdensome, and less costly decommissioning process.

Respectfully submitted,



Charles R. Pierce
Regulatory Affairs Director

CRP/efb

cc: Southern Nuclear Operating Company
Mr. S. E. Kuczynski, Chairman, President & CEO
Mr. D. G. Bost, Executive Vice President & Chief Nuclear Officer
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