## Rulemaking1CEm Resource

**From:** RulemakingComments Resource
**Sent:** Thursday, March 24, 2016 8:05 PM
**To:** Rulemaking1CEm Resource
**Subject:** Comment on ANPR-26, 50, 52, 73, and 140 - Regulatory Improvements for Decommissioning
**Attachments:** Comment from Shepherd.pdf

**DOCKETED BY USNRC—OFFICE OF THE SECRETARY**

**SECY-067**
**PR#:** ANPR-26, 50, 52, 73, and 140
**FRN#:** 80FR72358
**NRC DOCKET#:** NRC-2015-0070
**SECY DOCKET DATE: 3/22/16**
**TITLE:** Regulatory Improvements for Decommissioning Power Reactors
**COMMENT#: 141**

# PUBLIC SUBMISSION

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**Docket:** NRC-2015-0070
Regulatory Improvements for Power Reactors Transitioning to Decommissioning

**Comment On:** NRC-2015-0070-0007
Regulatory Improvements for Decommissioning Power Reactors; Extension of Comment Period

**Document:** NRC-2015-0070-DRAFT-0105
Comment on FR Doc # 2015-32599

## Submitter Information

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## General Comment

I hereby submit the following comments on NRC-2015-0070:

REG-1. Methods for decommissioning

a. Should the current options for decommissioning be explicitly addressed and defined in the regulations?

Given that more than a dozen reactors have successfully undergone decommissioning with the current scheme of regulations and guidance, there does not appear to be any advantage or increase in public safety to adding the decommissioning methods to the regulations.

b. Should other options for decommissioning be explored?

The options of clean it up, either now (DECON) or later (SAFSTOR), adequately address the alternatives. Because ENTOMB would also require some form of long-term stewardship, perhaps by the federal government analogous to uranium recovery sites, and would, therefore, likely require additional rulemaking to implement, it should be eliminated as an alternative.

c. Should the requirements be changed so that the timeframe for decommissioning is something other than the current 60-year limit?

Several reactors (e.g. SONGS Unit 1, Big Rock Point, Haddam Neck, Rancho Seco) have successfully

decommissioned in less than 60 years without excessive radiological exposure to either workers or the public. Therefore, decay time for Co-60 does not appear to be a critical issue determining when to decommission. One significant reason licensees select SAFSTOR is that there are other units on the site and cost efficiencies are gained by decommissioning all units together. Conversely, conducting decommissioning activities adjacent to operating facilities introduces additional safety hazards. ** see money

REG-2. [T]he appropriate role for the NRC in reviewing and approving the licensee's proposed decommissioning strategy and associated planning activities

a. Is the content and level of detail currently required for the licensee's PSDAR, adequate?

Yes

b. Should the regulations be amended to require NRC review and approval of the PSDAR before allowing any "major decommissioning activity"...?

The regulations currently require that licensees submit a license termination plan (LTP) for NRC review and approval. Rather than require approval of the PSDAR, the NRC could limit the time for which the PSDAR is valid and require the licensees to submit the LTP sooner, perhaps when all the fuel is removed from the spent fuel pool, or at a fixed time after permanent cessation of operations, in the 7 - 10 year time frame that would roughly correspond to final fuel movement.

REG-3. The appropriate role of other stakeholders in the decommissioning process

a. Should the current role of the States, members of the public, or other stakeholders in the decommissioning process be expanded or enhanced, and how so?

There is currently adequate opportunity for the stakeholders to express opinions on decommissioning. Any significant increase in the role would afford them some degree of regulatory control. While many members of States and the general public are well educated and knowledgeable about nuclear processes, for NRC to grant any regulatory powers, it would have to somehow "certify" those parties, just as it requires qualification of its staff. It does not appear feasible to do so for every stakeholder, and it seems equally infeasible to establish selection criteria, so I believe this should not be pursued.

b. Should the current role of ... other stakeholders in the decommissioning process for non-radiological areas be expanded or enhanced, and how so?

NRC regulations and expertise are in management of radiological hazards. NRC also requires that its licensees obtain all necessary permits from the state and local authorities before it operates, and to operate within the limits of those permits. It appears that knowledgeable parties already have the necessary authority. Coordination among NRC and these parties could be improved; see REG-3(c).

c. Should the NRC's regulations mandate the formation of these advisory panels?

DTF-1. Should the regulations in 50.75 and 50.82 be revised to clarify the collection, reporting, and accounting of commingled funds in the decommissioning trust fund

The cost of spent fuel management is a cost directly related to decommissioning - can't complete decommissioning if the fuel is in the pool - and a longer term cost. The regulations should be revised so the NRC can clearly see that the licensee has sufficient money for both direct decommissioning activities and for spent fuel management. While NRC does not require, nor oversee, "greenfield" activities, the regulations should not prohibit use of money from a common fund for such activities provided such use does not impact funding for radiological decommissioning or spent fuel management.

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# Attachments

Cmt-ANPR NPP Decom

COMMENTS ON ANPR – POWER REACTOR DECOMMISSIONING

Submit the following comments:

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