

Industry Views on NRC Decommissioning Funding Plan Reviews

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On Behalf of NEI's Fuel Operations Committee
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Overview

- Triennial DFP Updates Submitted by Facilities
 - Key Planning Assumptions, e.g., orderly shutdown
 - Use of Operational Funds
 - Completeness Based on Existing Guidance
- NRC Review of Submittals
 - Predictable Schedule and Routine Communication
 - Requests for Additional Information Process

Industry DFP Submittals

Key Planning Assumptions:

- *Inventory Quantities of Material are Removed from Site Prior to Decommissioning*
 - Licensee Assumption Used and Accepted by NRC Well Before Decommissioning Planning Rule (Dec 2012)
e.g., SNM is an asset and the owner of the material has a vested interest in its safe/timely removal
 - Abrupt Shutdown and Walk-away NRC Presumption not Realistic, Cannot be Justified and not Specified in Rule or Guidance; 10 CFR 70.38 Implies Orderly Shutdown
e.g., Unlicensed Independent Contractors not Authorized to Operate Proprietary Equipment and Processes to Remove Material not Owned by Licensee

Industry DFP Submittals (continued)

- *Operating Funds Used to Remove and Disposition Licensed Material*
 - Licensees Historically Justified and NRC Approved Use of Operating Funds—not Decommissioning Funds--to Fund Safe Removal and Disposition of Material
 - Neither 2012 DPR or Related Guidance (e.g., NUREG-1757) Supports NRC Assertion that Decommissioning Funds Must be Used for Such Purposes; Rather, Final Rule “Codifies” Cost Estimate Methods Previously Acknowledged by NRC

NRC Review of Submittals

- NRC Review Schedule and Communications
 - Need More Timely Review and Predictable Schedule to Reduce Mutual Resource Expenditures and Inform Next Triennial Submittal
 - NRC Review of Some Submittals Has Taken Years
- NRC Requests for Additional Information
 - Must be Based on Regulatory Requirements and Not a Request for Commitments; More Timely; Clearly Articulated and Communicated
 - Number of “Rounds of RAIs” Should be Limited, e.g., 2

In Summary

- DPR Did Not Mandate New Planning Assumptions; Historical Approach Used by Industry and Accepted by NRC is Adequate
 - e.g., orderly shutdown and use of operating funds
- Industry Willing to Work with NRC to Identify Lessons-Learned from Submittals Post DPR and Ways to Increase Efficiency of NRC Reviews