

**From:** [LARRY Camper](#)  
**To:** [RulemakingComments Resource](#)  
**Subject:** [External\_Sender] Petition for Rulemaking Comments  
**Date:** Tuesday, August 20, 2019 9:55:11 AM  
**Attachments:** [Secretary.docx](#)

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Greetings,

Please find attached my comments on the Petition for Rulemaking submitted by EnergySolutions and assigned Docket PRM-50-119 and Docket ID NRC-2019-0083 for comment gathering. I will stand by for the automatic response advising of receipt of these comments. Thank you very much.

Larry W. Camper

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Secretary  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555-0001

ATTN: Rulemakings and Adjudication Staff  
Subject: Access to the Decommissioning Trust Fund for the Disposal of Large Components, Docket No. PRM-50-119, Docket ID NRC-2019-0083 (Comments)

Greetings,

This letter is submitted to express my support for the petition for rulemaking from Gerard P. Van Noordennen on behalf of *EnergySolutions*, LLC, dated February 22, 2019 and docketed on March 20, 2019 as Docket No. PRM-50-119. As the former Nuclear Regulatory Commission (NRC) Division Director responsible for executive oversight of the NRC program to ensure successful decommissioning of nuclear power plants for eleven years, I find the petition to be reasonable and very useful to the industry in effectively utilizing decommissioning trust funds during operations to remove Major Radioactive Components (MRC's) and thus enhance environmental stewardship.

The petition requests that the NRC amend 10 CFR Part 50 to revise the definition of decommissioning in § 50.2 and amend § 50.82 to allow access to the decommissioning trust fund before the permanent cessation of operations at nuclear power plants. The cover letter submitted by *EnergySolutions*, LLC for the petition set forth seven key reasons why the objective of the petition is worthwhile, timely, and in the best interest of the nuclear industry, the environment and in addressing certain stakeholder concerns. I fully agree with those seven points and request that the NRC proceed with a rulemaking to incorporate the requested changes into the decommissioning regulatory infrastructure.

The MRC's which are the subject of the petition are destined for disposal and the nuclear utilities should have the flexibility to use decommissioning trust funds during operations to facilitate timely disposal of these components in a cost effective manner to maximize the reduction in disposal cost and thus aid in ensuring that ample decommissioning trust funds remain available when full decommissioning takes place. A key consideration for the NRC staff in considering this petition is the fact that it sets forth an adequacy test to ensure that adequate decommissioning trust funds will be available and modifies the definition of decommissioning recognizing that disposal of MRCs can take place during operations in support of final decommissioning. Thus, modifying the existing decommissioning regulatory infrastructure as requested does not in any way serve to compromise the funding process in support of final decommissioning.

I am very pleased that the NRC decided to publish a *Federal Register* Notice soliciting comments on this very important topic and I encourage the agency to proceed with the rulemaking requested by EnergySolutions, LLC. Publishing the petition for comment is a significant step as compared to when EnergySolutions several years ago submitted a similar petition which was denied on October 3, 2008 with the explanation, "The NRC has considered the merits of your petition and the public comments received and finds that the arguments in favor of the petition are not sufficiently persuasive to support the proposed rulemaking" After careful review of the current petition, it appears reasonable to assume that a much more thorough and timely basis has been provided as to why the purpose and outcomes of the petition have merit. Most importantly, the petition adequately addresses concerns about ensuring that adequate funds will exist to complete decommissioning by including prescriptive language for adequacy testing.

At this point in time, in the United States, we have much experience with the decommissioning of nuclear power plants and much has changed over the past twenty plus years as set forth in the petition. The time has come to capitalize on that experience and realize the current market trends impacting nuclear power plants by modernizing the decommissioning regulatory process. I sincerely hope that the NRC staff will carefully examine the merits of the approach set forth in the petition and come to conclude that it is consistent with the NRC values and strategic plan.

Thank you very much for the opportunity to comment on this important and timely topic. I plan to closely monitor the progress around this issue and will look forward to providing more detailed comments or take part in public meetings should the petition result in a rulemaking initiative.

Sincerely,

Larry W. Camper  
USNRC Retired  
Advoco Professional Services, LLC and  
Talisman International, LLC