



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D. C. 20555

September 10, 1990

Mr. Thomas E. Tipton, Director
Operations, Management and
Support Services Division
Nuclear Management and Resources Council
1776 Eye Street, N.W., Suite 300
Washington, D.C. 20006-2469

Dear Mr. Tipton:

SUBJECT: NUCLEAR PLANT CLOSURE ACTIVITIES AND DECOMMISSIONING

I have received your letter of April 3, 1990, which provided a draft white paper "Nuclear Plant Closure Activities That May Be Pursued In Advance Of An Approved Decommissioning Plan." The white paper has been reviewed by the NRC staff. I feel that clarification of the way in which the 10 CFR 50.59 evaluation process is to be used is warranted.

Proceeding from an operating commercial nuclear power plant to a decommissioning facility can be viewed as a three phase process. The three phases are as follows:

1. Plant closure prior to the request and issuance of a license amendment to remove the authority to operate at power ("Possession Only License"),
2. Plant closure and preparation for decommissioning after issuance of a "Possession Only License," but prior to approval of a proposed decommissioning plan per 10 CFR 50.82., and
3. Decommissioning after approval of the decommissioning plan per 10 CFR 50.82.

Licensees may make changes in the facility and in the procedures as described in the safety analysis report without prior NRC approval provided the proposed change does not involve a change in the Technical Specifications or is not an unreviewed safety question. In this connection, until NRC authorizes a change in the status of the plant license, 10 CFR 50.59 analyses are to assess the affect of the change on a plant licensed to operate at the authorized power level. This does not preclude 10 CFR 50.59 changes applicable to the shutdown or defueled state, in a manner similar to the procedures applicable to changes that may be made under 10 CFR 50.59 for a plant that is shut down for an extended period for major inspection or repair work. When the non-operating status of the plant is confirmed by the issuance of a "possession-only" license amendment, then major permanent changes to the facility can be carried out under 10 CFR 50.59, provided they do not involve a change of technical specifications or an unreviewed safety question. If there are activities that require NRC approval of the decommissioning plan or adversely effect the

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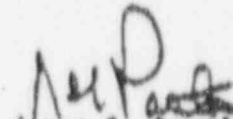
- 2 -

September 10, 1990

choice of any of the decommissioning options, those activities should not be carried out under 10 CFR 50.59.

It is, of course, essential that licensees maintain their facilities in a safe condition and that plant closure and decommissioning activities be carried out in compliance with NRC regulations. If you have any questions, please contact me at (301) 492-1284.

Sincerely,



JAMES G. PARTLOW
Associate Director for Projects
Office of Nuclear Reactor Regulation