



NRC NEWS

Office of Public Affairs, Headquarters

Washington, DC. 20555-0001

www.nrc.gov ■ opa.resource@nrc.gov



No: 21-043
CONTACT: [David McIntyre](#), 301-415-8200

November 3, 2021

NRC Approves Proposed Rule on Regulatory Improvements for Nuclear Power Plants Transitioning to Decommissioning

The Nuclear Regulatory Commission has approved a proposed rule to amend agency regulations for nuclear power plants transitioning from operations to decommissioning. The proposed rule will be published for public comment in the Federal Register following changes directed by the Commission.

Current NRC regulations establish safety requirements for the commercial operation of nuclear power plants. However, the regulations do not reflect the lower safety hazard following removal of fuel from the reactor during decommissioning. As a result, the NRC has allowed incremental changes to various requirements – including emergency preparedness – through exemptions and license amendments. The proposed rule would implement specific regulatory requirements for these steps.

“Several nuclear power plants have begun decommissioning over the past decade, and at least three more reactors are expected to cease operations within the next four years,” said NRC Chairman Christopher T. Hanson. “This regulation incorporates lessons learned from plants that have already transitioned to decommissioning and will establish clear and transparent requirements for the future. I am convinced that the proposed approach will provide adequate protection while improving the effectiveness and efficiency of the decommissioning regulatory framework.”

Hanson emphasized the importance of public participation in the rulemaking process.

“Decommissioning isn’t just about the licensee and the plant – it also affects the communities that surround them,” said Hanson. “Public comment has twice played an important role in the development of this proposed rule when we published an Advance Notice of Proposed Rulemaking and later with a draft regulatory basis. We are seeking public comment on the proposed rule to ensure that we have this right, as this is the public’s opportunity to influence a regulation that will guide future nuclear plant decommissioning.”

Once the staff has revised the proposed rule as directed by the Commission, it will be published in the Federal Register. Publication will initiate a 75-day public comment period, expected several weeks from now.

In approving the proposed rule, the Commission disapproved two proposals put forward by the NRC staff regarding management of spent nuclear fuel. It disapproved the staff’s recommendation to generically allow plant operators to use decommissioning trust funds to manage

and decommission their spent fuel storage facilities. The Commission also disapproved the staff's recommendation to remove preliminary approval and final NRC review of a licensee's Irradiated Fuel Management Program.

The Commission's [staff requirements memorandum](#) approving the rule, along with an enclosure detailing edits directed by the Commission, and the Commissioners' [voting records](#) will be available on the NRC website.