

Congressional Review Act Summary

AGENCY: U.S. Nuclear Regulatory Commission

TITLE OF ACTION: Revision 2 of NUREG-1757, Volume 2

TYPE OF ACTION: NUREG

LEVEL OF SIGNIFICANCE: Non-Major

AGENCY IDENTIFICATION: 3150

RIN AND/OR DOCKET ID: NRC-2020-0192

DATE OF ISSUANCE: July 2022

STATUTORY OR JUDICIAL DEADLINE: N/A

DESCRIPTION OF ACTION:

1. A general description of the action.

The U.S. Nuclear Regulatory Commission (NRC) is revising NUREG-1757, "Consolidated Decommissioning Guidance," Volume 2, "Characterization, Survey, and Determination of Radiological Criteria," Revision 1, issued September 2006, to incorporate lessons learned and best practices from decommissioning experience to date. This practice increases consistency across the industry and demonstrates the NRC's willingness to support the use of the most up to date and technically sound methodologies and techniques available to adequately protect the public health and safety.

The NRC originally published NUREG-1757, Volume 2 in September, 2003, to provide decommissioning guidance to licensees and the NRC. Volume 2 of the NUREG specifically details dose modeling and radiological survey approaches associated with demonstrating compliance with radiological criteria for license termination. In the nearly 15 years since the last major update to the NUREG, lessons learned from decommissioning reviews and changes in technology have provided the NRC with valuable experience and insights, necessitating an update to the NUREG. The NUREG revision will better inform licensees on decommissioning best practices, reducing the need for Requests for Additional Information (RAIs), and may reduce unplanned costs associated with reworks and associated inspection costs.

2. A high-level cost benefit analysis of the anticipated economic impacts.

This Regulatory Guide volume applies to all entities licensed by the NRC that are undergoing decommissioning activities under Title 10 of the *Code of Federal Regulations* Part 20, Subpart E. The NRC's analysis demonstrates that the revision of the NUREG results in negligible cost impacts and considerable benefits to licensees and the NRC. Many of the revisions will increase clarity and the likelihood that licensees will better understand the requirements of the testing and other activities they must perform while undergoing decommissioning activities, resulting in averted costs that were not quantified.

The NRC staff did estimate this NUREG revision would reduce RAIs by approximately 15 per year (36 percent), taking a licensee 25 hours on average to respond and the NRC 13 hours to request and subsequently review. Using current NRC and industry labor rates, this resulted in estimated averted costs to industry of \$350,000 and to the NRC of \$181,000, both at a 7 percent Net Present Value (NPV). This results in total estimated averted costs of \$531,000 at a 7 percent NPV.

These averted costs were calculated from calendar year (CY) 2022 to CY 2030, as a conservative estimate. In fact, beyond the analysis horizon, future licensees will engage in further decommissioning activities that will also benefit from this revision. Finally, in addition to the averted costs that were quantified, the NUREG update will improve knowledge as a result of the additional information and guidance contained, and regulatory efficiency and public confidence by clarifying methods to demonstrate compliance with license termination regulations and incorporating lessons learned and best practices.

3. Responses to the Congressional Review Act screening criteria.

- Is there an annual effect on the economy of \$100 million or more?
 - No
- Is there a major increase (typically 10 percent – 20 percent) in costs for consumers, individual industries, Federal, State, or local government agencies, or to geographical regions?
 - No
- Is there a significant adverse effect on competition, employment, investment, productivity, innovation, or on the ability of U.S.-based enterprises to compete with foreign-based enterprises in domestic and export markets?
 - No

4. Concluding statement.

Based on the regulatory analysis performed for the update to NUREG-1757, Volume 2, summarized above, this update has a minor, positive effect on the economy, specifically licensees and the NRC. Therefore, this summary recommends a “minor rule” finding by the Office of Management and Budget.

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