From:	Espinosa, Sergio
To:	RulemakingComments Resource
Cc:	Eckert, Danielle
Subject:	[WARNING: MESSAGE ENCRYPTED][External_Sender] [WARNING: MESSAGE ENCRYPTED]IBEW Comments on NRC"s Proposed Decommissioning Rule
Date:	Monday, September 05, 2022 10:06:10 AM
Attachments:	IBEW Comments on NRC Decommissioning Proposed Rule.pdf

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Dear Nuclear Regulatory Commission Official:

Attached is a letter from IBEW International President Lonnie R. Stephenson commenting on the proposed rule for Regulatory Improvements for Production and Utilization Facilities Transitioning to Decommissioning, Docket ID NRC-2015-0070. The IBEW apologizes that this letter is coming after the public comment deadline. We kindly request that the IBEW's comments on this matter be considered by the U.S. Nuclear Regulatory Commission. As the largest labor union in the nuclear sector, we believe we have an important voice that should be considered by the NRC.

Please feel free to contact me at sergio_espinosa@ibew.org or at (202) 615-4951 if the NRC has questions.

Thank you,
Sergio Espinosa

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LONNIE R. STEPHENSON
International President

KENNETH W. COOPER
International
Secretary-Treasurer

September 2, 2022

Submitted via Regulations.gov

Secretary
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001
Attn: Rulemakings and Adjudications Staff

Re: Regulatory Improvements for Production and Utilization Facilities Transitioning to Decommissioning, Proposed Rule, Docket ID NRC-2015-0070

Dear Nuclear Regulatory Commission Staff:

The International Brotherhood of Electrical Workers, AFL-CIO (IBEW) appreciates this opportunity to comment on the U.S. Nuclear Regulatory Commission's (NRC's) proposed changes as described in *Regulatory Improvements for Production and Utilization Facilities Transitioning to Decommissioning,* Docket ID NRC-2015-0070, March 3, 2022.

The IBEW is a labor organization representing approximately 775,000 active and retired members, including approximately 15,000 members that are employed full-time in the nuclear industry at over 55 facilities across the United States. Thousands more IBEW members rotate through nuclear plants with the contractor workforce as needed for maintenance and refueling. The nuclear industry has historically supplied some of the highest quality jobs for IBEW members, typically paying one-third more than the average jobs in their community.

The IBEW submits these comments in response to NRC's proposal to change its decommissioning regulations. As explained below, the IBEW believes that the NRC's proposed changes are insufficient to meet the needs of our members or the communities they serve. Therefore, we urge the NRC to revise its proposed rule heavily or to propose new rules that incorporate the needs of workers and communities working and living near nuclear power facilities.

The final decommissioning rule should require a licensee to submit a detailed decommissioning plan that must be approved by the NRC before decommissioning work can begin. The proposed rule's lasses-faire requirement of licensees to submit a post-shutdown decommissioning activities report (PSDAR) for NRC acknowledgement acknowledgment of receipt is woefully inadequate. As Commissioner Baran commented, "[i]t barely qualifies as a regulatory scheme at all. Collecting a PSDAR without substantively assessing its content does next to nothing to protect public health and safety." Simply put, by only requiring the

submission of a report without any agency or public oversight, the NRC is ceding its regulatory role to protect workers, communities, and the environment.

The final decommissioning rule should also require that before the NRC can decide whether to approve a proposed decommissioning plan, the agency must provide a public comment period and public meetings, with full adjudicatory hearing rights attached. IBEW members working at nuclear power plants should have an opportunity to speak on behalf of their safety and jobs. Decommissioning can be long and complex, and with more than half of the U.S. population living within 50 miles of a nuclear reactor, the decommissioning of these facilities will have broad effects. The NRC must do all it can to encourage community engagement in the process and ensure clarity and transparency of the process to allow for robust engagement. As Commissioner Baran explains, "NRC's mission is focused on radiological safety. But to make good decommissioning decisions, NRC must understand and consider the non-radiological impacts of its decisions. The people who live in communities around a decommissioning plant can help [] do that." The IBEW also supports the creation of community advisory panels, either by the decommissioning plants or by the state or local government.

The final decommissioning rule should end exemptions and amendments for licensees on decommissioning plans that interfere with or alter their NRC-approved decommissioning plan. One of the primary purposes the Commission determined a decommissioning rule was necessary was to reduce the need for license amendment requests and exemptions from existing regulations. Exemptions for specific plants thus should be seriously examined and avoided except for in emergency situations. Furthermore, the NRC should consider requiring public comments and public meetings for exemptions and amendments on NRC-approved decommissioning plans, when the proposed exemption or amendment impacts IBEW members and other nuclear workers.

The NRC should reassess the timeline for decommissioning. The proposed rule would continue to allow the licensee complete discretion as to when to start decommissioning within a 60-year period. This is a disruptive and wasteful practice with no basis in safety. The best workers to conduct decommissioning of nuclear reactors are the existing workforce, such as the highly skilled members of the IBEW. Using the existing workforce softens the impact on the workers and communities facing a major industrial facility closing. Additionally, the existing workforce is the most knowledgeable about the reactors in question. Our members and other workers at nuclear power plants bring firsthand knowledge of how these facilities operate and have strong safety and environmental standards in place. Thus, the final decommissioning rule should make the standard timeline for

decommissioning a prompt start upon shutdown and, at most, only allow SAFESTOR in very limited cases.

Once again, we appreciate this opportunity to comment and look forward to assisting the U.S. Nuclear Regulatory Commission in ensuring a safe, effective, and efficient decommissioning process. If the NRC has any questions, please do not hesitate to contact us.

Sincerely yours,

Lonnie R. Stephenson

Lonnie R. Stephenson
International President

LRS: efw