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UNITED STATES OF AMERICA

NUCLEAR REGULATORY COMMISSION

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PUBLIC MEETING TO DISCUSS THE PROPOSED RULEMAKING
ON "REGULATORY IMPROVEMENTS FOR PRODUCTION AND
UTILIZATION FACILITIES TRANSITIONING TO
DECOMMISSIONING"

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MONDAY,

MARCH 21, 2022

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The meeting convened at the Commission
Hearing Room, NRC One White Flint North, 11555
Rockville Pike, Rockville, Maryland, and by video
teleconference, at 1:00 p.m. EDT, Lance Rakovan,
Meeting Facilitator, presiding.

NRC STAFF PRESENT:

DANIEL DOYLE, NMSS/REFS/RRPB

SOLY SOTO LUGO, NMSS/REFS/RRPB

LANCE RAKOVAN, NMSS/REFS/ERLRB

PATRICIA K. HOLAHAN, NMSS/REFS

VINCE WILLIAMS, NSIR/DPCP/MSB

HOWARD A. BENOWITZ, OGC/LRAA/RASFP

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C-O-N-T-E-N-T-S

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P-R-O-C-E-E-D-I-N-G-S

1:01 p.m.

1
2
3 MR. RAKOVAN: Hello, everyone. My name is
4 Lance Rakovan. I'm a senior environmental project
5 manager at the U.S. Nuclear Regulatory Commission, or
6 NRC as you'll hear it called today, and I'm sure you
7 already know.

8 It's my pleasure to help facilitate
9 today's meeting, along with the staff, who are in the
10 Commissioner's hearing room at NRC Headquarters.
11 We're going to try to make this meeting worthwhile for
12 everyone. And we hope you'll give us a hand with
13 that.

14 Go ahead to the next slide. So again, our
15 purpose today is to provide information to help you
16 make more educated comments on the proposed
17 decommissioning rule and draft regulatory guidance.
18 We'll be going through the various ways you can
19 participate in this commenting process as part of our
20 presentation.

21 Slide 3. So here is our basic agenda for
22 today. After we go over some logistics we'll have
23 some opening remarks. And then we'll provide our
24 presentations, which will include details on
25 background and status, an overview of the proposed

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1 rule, tips for preparing comments and next steps.
2 After a short break we'll then open the floor to
3 feedback and questions.

4 Slide 4 please. Please note that today's
5 meeting is being recorded and transcribed. We ask
6 that you help us get a full, clear accounting of that
7 meeting by staying on mute if you are on the phone or
8 on Teams and are not speaking. Or keeping your
9 electronic devices silent and keeping side discussions
10 to a minimum if you're in the room.

11 Also, it would help us out greater if
12 speakers can identify themselves and any group they
13 are with when they first talk.

14 When we do move to the Q&A portion of the
15 meeting, those of you on Teams can raise your hand
16 using that feature, if you have a question. Those on
17 the phone can hit *5.

18 When you are being called to ask a
19 question, those of you on Teams can use your unmute
20 button. And those on the phone can use *6. Please
21 note that the chat feature on Teams has been disabled.

22 Oh, and the slides that are going to be
23 shown, the Microsoft Team slides can be found in the
24 NRC ADAMS library at ML22059A016.

25 Any phone attendees, please email

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1 dan.doyle@nrc.gov if you'd like us to make sure that
2 we are aware that you attended the meeting.

3 I'll go into some details about our public
4 meeting feedback forum later on in the meeting. For
5 those of you who are with us in the room today,
6 emergency exits are at all four corners of the
7 Commissioner's hearing room. Restrooms are out the
8 main entrance and then to your left.

9 With that, if you'd like to go to Slide 5.

10 I'd like to introduce Trish Holahan who is a special
11 assistant in the NRC's division --

12 DR. HOLAHAN: Before you do that --

13 MR. RAKOVAN: Oops. Trish, please?

14 DR. HOLAHAN: Before you do that, there is
15 a question I think from Steven Dolley.

16 MR. RAKOVAN: Yes. I was going to IM him
17 directly but we can go ahead and take it. Steven?

18 MR. DOLLEY: Yes, hi. Can you hear me
19 okay?

20 MR. RAKOVAN: We can. Please.

21 MR. DOLLEY: Sorry to interrupt so early.

22 Thanks for the introductory remarks. We're not
23 seeing the slides that you're calling to be shown one
24 after another, just a link to a ppt file. So if you
25 can get the slides up that would be helpful, but of

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1 course we can get them off ADAMS. Thanks.

2 MR. RAKOVAN: I appreciate that, thank
3 you. We'll get to work on that.

4 All right, with that I'll go ahead and
5 introduce Trish. Trish Holahan is a special assistant
6 in the NRC's Division of Rulemaking Environment and
7 Financial Support.

8 Trish is going to give some opening
9 remarks and we'll see if we can fix the slide issue.
10 Trish.

11 DR. HOLAHAN: Thank you, Lance. And
12 welcome, everybody. Good afternoon. I'm Trish
13 Holahan. As Lance already mentioned, I'm the special
14 assistant in the NRC's Division of Rulemaking
15 Environmental and Financial Support Division.

16 And I want to thank you for joining us
17 today to talk about the NRC's decommissioning
18 rulemaking. The NRC's goal for this rulemaking are to
19 maintain a safe effective and efficiency
20 decommissioning process, incorporate lessons learned
21 from the decommissioning process and support the NRC's
22 principals of good regulations. Including openness,
23 clarity and reliability.

24 The proposed rule would implement specific
25 regulatory requirements for different phases in the

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1 decommissioning process consistent with a reduced risk
2 that occurs overtime while continuing to maintain
3 safety and security. The proposed rule would
4 incorporate lessons learned from plants that have
5 recently transitioned to decommissioning and improve
6 the effectiveness and efficiency of the regulatory
7 framework while protecting public health and safety.

8 Public comments has twice played an
9 important role in the development of this proposed
10 rule. When we published an advance notice of proposed
11 rulemaking, and later with a draft regulatory basis.

12 We are seeking public input on the
13 proposed rule to influence regulations that will guide
14 future nuclear plant decommissioning. The rule
15 addresses several regulatory areas which you will hear
16 about in more detail during this meeting.

17 We hope today's meeting will help you
18 better understand the proposed rule. We look forward
19 to your feedback and your questions today.

20 But please note that the NRC will not be
21 responding in writing to verbal comments from today's
22 meeting. Comments must be submitted in writing
23 through the methods described in the federal register
24 notice to receive formal consideration in the
25 rulemaking.

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1 This is the first public meeting on the
2 proposed rule. We will be having another meeting
3 following the same format on March 31st.

4 We're also planning to hold additional
5 meetings in April in various locations around the
6 country. With the option of virtual participation.
7 Please check the NRC's public website for additional
8 details about upcoming public meetings and for other
9 resources to help as you receive reviews of proposed
10 rule.

11 Thank you. And I'll turn it back to
12 Lance.

13 MR. RAKOVAN: Thanks, Trish. Can we get a
14 reading, either a thumbs up or something from someone
15 to make sure that we did fix the issue with the
16 slides, if at all possible?

17 Steve, can you --

18 MR. DOYLE: I think attendees are only
19 able to actually raise their hands. I don't think --

20 MR. RAKOVAN: Oh, okay. All right.

21 MR. DOLLEY: Yes, chat is disabled. We
22 can now see the slides. Thank you.

23 MR. RAKOVAN: Okay.

24 MR. DOLLEY: But chat is disabled, so if
25 you're asking us for some direct response you need to

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1 enable chat. Thank you.

2 MR. RAKOVAN: All right, thank you, Steve.

3 All right, glad we got that fixed. With that, I will
4 go ahead and turn things over to Dan Doyle who has the
5 lead for the initiative.

6 Dan has a fairly lengthy presentation so
7 we're hoping that Dan can get through his
8 presentation. We'll take a quick break so folks can
9 stretch their legs and then we'll go ahead and up
10 things up for Q&A. So, Dan, please take it away.

11 MR. DOYLE: All right, thank you very
12 much, Lance. So this is, as Lance said, our first
13 meeting of several that we have planned on the
14 decommissioning rulemaking.

15 You can go to the next slide, Soly. But I
16 just wanted to point out that we're emerging from
17 COVID-19. This is kind of new for me and for several
18 of us. Hopefully it goes smoothly.

19 It seems to be okay so far except for that
20 one little glitch with the slides. But I appreciate
21 everyone's patience with adjusting to using some of
22 this new equipment being in-person. It is nice to do
23 the in-person. And also allow people to be able to
24 attend remotely if possible. So fingers crossed on
25 everything continuing to go smoothly.

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1 But please raise your hand. And thank
2 you, Mr. Dolley, for doing that. Please raise your
3 hand if there is something disrupting your ability to
4 follow the meeting so thank you. Please feel free to
5 raise your hand and we'll try to address that.

6 Otherwise, as Lance said, we do have time
7 reserved for after the staff's presentation for Q&A
8 session on this. So please hold other comments until
9 that time. Thank you.

10 Okay, we can go to the next slide. So,
11 this is a very brief background and status of this
12 rulemaking activity.

13 There was an increase in, oh yes, I'm
14 sorry, can you go back on please. I should, you know,
15 I should point out one other thing is that we are
16 using Microsoft Teams for this meeting today.

17 And for those who are attending, you
18 should see on the bottom of your screen to see the
19 arrows to click back and forth through the, actually,
20 you know what, because we just switched it, actually I
21 think they don't have that feature. I'm not sure. I
22 don't know actually because we had to flip, I'm
23 sharing the screen now.

24 But you might be able to advance and back
25 up the slides. I'm sorry, I'll have to circle back

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1 and see how that went later. But if you can click
2 that then you would be able to advance and go back to
3 whatever slide you wanted to see. And that would be
4 affecting just your view. And then also, you can
5 click the slides.

6 I'm sorry, you would be able to click the
7 links. So if you see blue hyperlinks in the slides
8 you would be able to click that and open the documents
9 if you wanted to.

10 Okay, back to the slide. So there was an
11 increase in nuclear power plant shutdowns that kind of
12 focus the NRC's attention on making some changes to
13 the regulations that relate to decommissioning. We
14 refer to the transition to decommissioning process as
15 the plant is approaching and going into and completing
16 decommissioning.

17 So we, the NRC initiated rulemaking
18 December 2015 to make some changes related to that
19 transition. We have already completed some extensive
20 public outreach. We did solicit comments on advance
21 notice of proposed rulemaking.

22 And we also issued a regulatory basis
23 document. We had public comment periods on both of
24 those. And also public meetings. And there is
25 information, additional information about both of

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1 those on our public website.

2 The proposed rule, so this is the recent
3 headline, the recent highlight and the reason we're
4 having this meeting today. We just published the
5 proposed rule in the federal register on March 3rd,
6 2022. There is the citation.

7 So we are in the comment period right now.

8 We have a 75-day comment period. And that ends on
9 May 17th, 2022.

10 Next slide please. For convenience we had
11 two slides that lists all of the key documents
12 associated with this proposed rule. So this is the
13 first slide. We have, again, the proposed rule.

14 There is that citation that is important
15 sometimes. 87 FR 12254. It was published March 3rd,
16 2022. Those two links, if you, I apologize if you're
17 not able to click it in this presentation right now,
18 you can download the slides.

19 We have, it is in ADAMS. We have the
20 accession number on the first slide. And also Lance
21 had mentioned that. Or you can email me and I will
22 get it to you.

23 So both of those links will open up the
24 proposed rule. One is the web version, and the other
25 one is a printed version. So it's the same thing,

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1 just two different ways of viewing that, depending on
2 what you prefer. Those are both the federal register
3 versions of the proposed rule.

4 So some supporting and related documents.

5 We have a draft regulatory analysis, which discusses
6 costs and benefits associated with this action, a
7 draft environmental assessment for compliance at the
8 National Environment Policy Act, draft supporting
9 statements for information collections.

10 There are some changes to information
11 collections in this rule. And we have those discussed
12 in there for compliance with the Paperwork Reduction
13 Act.

14 And we also have an additional document,
15 so I'll refer to that as the unofficial redline rule
16 text. There is introduction, kind of a disclaimer
17 that explains what this is. And I also have a slide
18 on it later.

19 This may be helpful if you are
20 particularly interested in the changes to the rule
21 language. The document shows the current rule
22 language as plain text. And then any changes that
23 this proposed rule would make to the rule, to the code
24 of federal regulations in a mark-up format. So, this
25 would be deleted, this would be added.

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1 That can be helpful with maybe a more
2 understandable way then looking at the mandatory
3 instructions, which is that portion at the end of a
4 federal register notice that is really kind of
5 instructions for an editor. Add this word, delete
6 this word.

7 But you would have to do a little bit more
8 work to understand what that changes in context. So
9 feel free to take a look at that.

10 Next slide please. We also are updating
11 four guidance documents. We're issuing four guidance
12 documents for public comment in parallel with the
13 proposed rule. They are listed here on the slide.

14 The first one is related to emergency
15 planning for decommissioning nuclear power plants.
16 That would be a new regulatory guide.

17 The other three are updates to existing
18 regulatory guides that relate to decommissioning. So
19 the second one on the list would be an update to Reg
20 Guide 1.184, decommissioning nuclear power plants.

21 The next one would be an update to Reg
22 Guide 1.159. That would be Rev 3, showing the
23 availability of funds for decommissioning production
24 or utilization facilities.

25 And then the last one on the left would be

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1 an update to Reg Guide 1.185, standard format and
2 content for post-shutdown decommissioning activities
3 report. So these three, four documents are also out
4 for public comment now. And so public comments would
5 be submitted on, if you have comments on the rule and
6 the guidance please submit it altogether. It all goes
7 to the same place. The same action.

8 Okay, the next slide please. Okay, so for
9 this part of the meeting we will be giving an overview
10 of the proposed rule.

11 I will start with a general discussion of
12 the graded approach. You can see me looking down, I
13 have my notes for this portion of the meeting here
14 that I'm going to try to follow.

15 So we're going to start with a general
16 discussion of what we call the graded approach concept
17 and how that has been applied to several different
18 technical areas in this rule. The rest of the slides
19 are going to give an overview for each of the
20 technical areas for the topics, the technical areas or
21 topics in this slide.

22 If you look at the proposed rule in
23 Section 4, scope of the proposal, there are 16
24 headings for different topics or areas where we're
25 proposing some changes.

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1 So the slide here followed the same order
2 in the proposed rule. The titles of the slides match
3 the headings in the proposed rule. And like I said,
4 we will give an overview.

5 I've been coordinating with the staff. We
6 have a great team of folks here at the NRC who are
7 working and supporting this. I am the rulemaking
8 project manager so I'm kind of coordinating it and
9 serving as a spokesperson right here, but the staff
10 are supporting, and many of them are on the line here
11 today.

12 I will be speaking to most of these
13 slides, but we do have a few staff that are going to
14 be speaking to the other slides. I'll introduce them
15 when we get to that. And I see that there is a hand
16 raised.

17 MR. RAKOVAN: Yes. Dan, I wanted to point
18 out that Dave Hills has his hand raised. Dave, did
19 you have something that you wanted to interject?

20 MR. HILLS: No, sorry, that was an error.

21 MR. DOYLE: Okay, no problem. So let's
22 move on to the next slide please.

23 The graded approach. This proposed rule
24 takes what we call a graded approach to
25 decommissioning where different levels of requirements

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1 would apply at different stages of the decommissioning
2 process.

3 Across the top of this table are the four
4 levels that are used or discussed in the proposed rule
5 as a facility goes through the decommissioning
6 process. The Level 1, Level 2, Level 3 and Level 4,
7 chronologically.

8 Level 1, on the left, would begin after
9 the facility docket the two required certifications.

10 One is for permanent cessation of operations. And
11 the other is that the fuel has been removed from the
12 reactor vessel.

13 Level 2 would be after a period of
14 sufficient decay, which would generically be ten
15 months for a boiling water reactor or 16 months for a
16 pressurized water reactor if they meet the criteria in
17 the proposed rule.

18 Level 3 would be when all fuel is in dry
19 cask storage. And Level 4 would be when all fuel is
20 offsite.

21 The rows in this table show the topic
22 areas that have updated requirements, links to these
23 levels in the proposed rule. The top row, the
24 emergency preparedness, that would use all four of the
25 levels starting with the post-shutdown emergency plan

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1 in Level 1 through Level 4, where there is no longer a
2 need for an onsite radiological emergency response
3 plan because all fuel is offsite.

4 Other topic areas that used the graded
5 approach include physical security, cyber security and
6 onsite/offsite insurance. So you can see that the
7 physical security has changes in level 1 and level 3.

8 And then cyber security has changes in level 2. And
9 also onsite/offsite insurance that we'll get to that
10 when we, in the next few slides here.

11 Okay, next slide please.

12 MR. RAKOVAN: Hey, Dan, this is Lance. If
13 you can identify which slide you're on instead of
14 saying next slide that will help the folks who are on
15 the phone.

16 MR. DOYLE: Will do. Thank you. So, we
17 are on Slide 13 right now. It says, emergency
18 preparedness at the top.

19 So this is the first of the topic slides.

20 Let me just take a minute to talk about, we have a
21 theme layout for each of these.

22 So for each of the topic slides you'll see
23 a summary of the proposed changes. The box in the
24 upper right identifies the section in the proposed
25 rule, with a more detailed discussion of the topic as

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1 well as the page numbers in the printed version of the
2 federal register notice.

3 We also have listed all of the sections of
4 the CFR, the Code of Federal Regulations, that would
5 be changed. Where we have changes associated with
6 this topic.

7 Where it says a specific request for
8 comment, each of these slides, we will mention if
9 there are any questions related to this topic in
10 Section 5 of the proposed rule where the NRC included
11 specific questions for the public to consider.
12 Sometimes we have kind of a directed specific
13 questions that we encourage stakeholders to provide
14 feedback on.

15 So we do have 18 of those in this proposed
16 rule. And some of them relate to these topics. So
17 we'll just try to point out where those specific
18 questions are and give you a sense of what the
19 question is focused on.

20 And then on the bottom of this slide we
21 have a, it's an area for additional information where
22 we may point out some additional things we think you
23 should be aware of. And then on the bottom of this
24 slide there is this kind of a progress bar that,
25 again, is showing each of the 16 topic areas.

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1 I only fit five on a slide, but as we go
2 through you'll see the bold one will kind of move
3 along. In case there is a topic that you are
4 especially interested in you can kind of keep an eye
5 on that and see the next few topics that are coming
6 up. Like the parade of nations from the Olympics when
7 they come in. I don't know.

8 Okay. So emergency preparedness. Because
9 current regulations, so I'm going to give some
10 background on this. Because current regulations do
11 not provide a means to distinguish between the EP
12 requirements that apply to the operating reactor and
13 the EP requirements that will apply to the reactor
14 that has permanently ceased operations,
15 decommissioning licensees have historically requested
16 exemptions from EP requirements.

17 The proposed rule would provide common EP
18 requirements for reactors in decommissioning,
19 eliminate a need for specific exemptions or license
20 amendments.

21 Because of the decreased risk of offsite
22 radiological release and fewer types of possible
23 accidents that can occur at a decommissioning reactor,
24 the proposed EP requirements align with that reduction
25 in risk while maintaining safety.

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1 So what we are proposing to change. The
2 NRC is proposing to add a new section, 10 CFR 50.200
3 in the list in the upper right there. So that's a new
4 section that would provide planning standards and
5 requirements for post-shutdown and permanently de-
6 fueled emergency plans.

7 The proposed standards and the
8 requirements for emergency plans are consistent with
9 the level of planning the Commission has previously
10 approved for decommissioned facilities. The proposed
11 planning requirements also ensure close coordination
12 and training with offsite response organizations is
13 maintained throughout the decommissioning process.

14 The NRC is also proposing to amend 10 CFR
15 50.54(q), Paragraph q, to provide licensees with the
16 option to use a tiered requirements and standards at
17 the appropriate time in decommissioning and to add a
18 new process by which licensees can make changes to the
19 emergency plans to transition between levels.

20 So the specific requests for comments. So
21 that was kind of the background and sort of overview
22 of what we wanted to highlight for this topic.

23 The specific request for feedback. We
24 would like to know what the advantages and
25 disadvantages are of requiring dedicated radiological

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1 emergency planning, including a ten mile emergency
2 planning zone, or EPZ, until all spent nuclear fuel at
3 a site is removed from the spent fuel pool and placed
4 in dry cask storage.

5 Is there additional information the NRC
6 should consider in evaluating whether all hazards
7 planning would be as effective as dedicated
8 radiological emergency? The NRC has determined that
9 ten hours would be a sufficient amount of time for an
10 emergency response to a spent fuel pool accident based
11 on an all hazards plans.

12 Is there additional information the NRC
13 should consider in evaluating this matter?

14 The second bullet there for specific
15 requests emergency response data systems. Nuclear
16 power facilities that are shutdown permanently or
17 indefinitely are currently not required to maintain an
18 emergency response data system. These systems
19 transmit near real-time electronic data between the
20 licensee's onsite computer system and the NRC
21 operations center.

22 Licensees in Level 1 would maintain the
23 capability to provide meteorological, radiological and
24 spent fuel pool data to the NRC within a reasonable
25 time frame of following an event. What are the

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1 advantages and disadvantages of requiring nuclear
2 power plant licensees to maintain those aspects of the
3 emergency response data system until all spent fuel is
4 removed from the pool?

5 So that's what those two questions are
6 about.

7 We wanted to point out for this topic that
8 we do have that new guidance document. The proposed
9 guidance document.

10 The staff has developed guidance
11 corresponding to the proposed rule changes for
12 emergency planning. We have proposed this new
13 regulatory guide, Draft Guide 1346.

14 The staff, NRC staff believes that these
15 changes will establish emergency planning requirements
16 commensurate with the reduction in radiological risk
17 as licensees proceed through the decommissioning
18 process while continuing to provide reasonable
19 assurance that protective actions can and will be
20 taken in maintaining emergency preparedness as a final
21 independent layer of defense-in-depth. That's the
22 overview for this topic.

23 Next slide please. This is Slide 14. It
24 says physical security. So for this slide I will turn
25 it over to Vince Williams. Vince is a security

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1 specialist in the NRC's Office of Nuclear Security and
2 Incident Response. And he is the staff lead for this
3 topic. Vince, you should be able to unmute and go for
4 this one.

5 MR. WILLIAMS: Good afternoon. My name is
6 Vince Williams. I'll be speaking to the physical
7 security area of the decommissioning role.

8 This proposed rule would allow certain
9 changes to eliminate licensee requests for approvals
10 via exemptions amendments and for certain adjustments
11 to the physical security programs. Current security
12 requirements do not reflect the reduced risks for a
13 decommissioning facility after fuel is removed from
14 the reactor vessel.

15 When the fuel is transferred into the
16 spent fuel pool, the amount of plant equipment that is
17 relied upon for the safe operation of the facility is
18 significantly reduced, which allows for certain
19 security measures to be modified because their
20 implementation is no longer needed or can be adjusted
21 for the physical protection program during
22 decommissioning.

23 Because certain security measures can be
24 modified or no longer are necessary for
25 decommissioning, commonly requested exemptions and

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1 amendments have been submitted by licensees to address
2 this new posture.

3 For example, the control room is
4 specifically identified in current security
5 requirements as an area that must be protected as a
6 vital area. The proposed rule would potentially
7 eliminate the need to identify the control room as a
8 vital area when all vital equipment is removed from
9 the control room and when the area does not act as a
10 vital area boundary for other areas.

11 Also, current security regulations for a
12 power reactor licensee require the use of licensed
13 senior operators for the suspension of security
14 measures during emergencies. For permanently shutdown
15 and de-fueled reactors, licensed senior operators are
16 no longer required. The proposed rule would allow
17 certified fuel handlers to be used to suspend security
18 measures during emergencies at decommissioned
19 facilities.

20 Lastly, to eliminate the need for the
21 submission of license amendments and exemptions, the
22 licensee transitions to independent spent fuel storage
23 installations.

24 The NRC is proposing that once all spent
25 nuclear fuel has been placed in dry cask storage,

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1 licensees may elect to protect a general license ISFSI
2 in accordance with the physical security requirements
3 that are consistent with Part 72 Subpart H, and 10 CFR
4 73.51. Licensees will continue to address the
5 applicable security related orders associated with an
6 ISFSI that are conditions of the license. Dan.

7 MR. DOYLE: Okay, thank you, Vince. All
8 right, moving on to Slide 15. So this topic is cyber
9 security.

10 Consistent with the graded approach layout
11 and the technical basis for a graded approach, and
12 that I mentioned a few slides ago, cyber security was
13 one of those items. The proposed rule would continue
14 to apply cyber security requirements to
15 decommissioning plants until the risk to significantly
16 is reduced to, sorry, until the risk is significantly
17 reduced to public health and safety.

18 Specifically, the cyber security rule is
19 continuously applied until the fuel is permanently
20 removed from the reactor vessel to the spent fuel pool
21 and there has been sufficient decay of the fuel, in
22 the spent fuel pool, such that there is little chance
23 that the spent fuel in the spent fuel pool could heat
24 up to a clad ignition temperature within ten hours if
25 a spent fuel pool were drained.

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1 So there is more detailed discussion in
2 the proposed rule about that under technical basis.
3 Sorry, under the technical basis for the graded
4 approach.

5 Under the proposed rule, Part 50, power
6 reactor licensees and combined license holders would
7 be subject to the same requirement. For Part 50 power
8 reactor licensees the proposed rule would remove the
9 licensed condition that requires the licensee to
10 maintain its cyber security plan and make adjustments
11 to the regulations.

12 For combining license holders, the proposed
13 rule would extend the requirements to maintain a cyber
14 security plan during decommissioning. And this would
15 be a new requirement for that change.

16 For currently operating or recently
17 shutdown Part 50 reactor licensees, because the
18 licensee cyber security plan is included as a licensed
19 condition, this license condition to maintain a cyber
20 security program remains in effect until determination
21 of the license or the NRC removed the condition from
22 the license. For example, if a licensee submits a
23 license amendment request and the NRC approves it.

24 Therefore the proposed rule would not
25 constitute back fitting because the proposed rule

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1 would codify the already imposed requirement of the
2 cyber security plan, sorry. Cyber security program
3 license condition during Level 1 of the
4 decommissioning, of decommissioning, or until the
5 spent fuel in the spent fuel pool has sufficiently
6 cooled.

7 This is not true for combined licensed
8 holders. The proposed revision would constitute a new
9 requirement because the operational programs, such as
10 a security program that includes the cyber security
11 program are requirements in the regulations and not
12 properly identified as licensed conditions as they are
13 for Part 50 licensees.

14 Currently combined license holders are
15 required to maintain a cyber security program only as
16 long as 10 CFR 73.54 is applicable to them. So that
17 means that combined license holders are not required
18 to maintain their cyber security programs during
19 decommissioning because the power reactor licensee is
20 not authorized to operate nuclear power reactor during
21 decommissioning.

22 So the change to 73.54 is identified in
23 the proposed rule as a change affecting issue finality
24 for 10 CFR Part 52 combined license holders as defined
25 in 52, 10 CFR 52.98. So therefore the proposed rule

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1 does include a back fit analysis in Section IX.D. So
2 that is what we have highlighted as part of the
3 additional information.

4 I think I skipped over this request for
5 comments. I don't think I included it in there. Let
6 me get back to that a little bit later. I have a
7 slide that's going to talk about the comments. I can
8 highlight what the focus of that question was.

9 Okay, next slide please. Slide 16. Drug
10 and alcohol testing. There are three items that I
11 would like to highlight related to this.

12 In Part 26, which is about fitness-for-
13 duty, we would amend, the proposed rule would amend 10
14 CFR 26.3, scope, to address, to correct an
15 inconsistency in the applicability of Part 26 to Part
16 50 and 52 license holders for nuclear power reactors.

17 Part 26 does not apply to a Part 50
18 license holder once the NRC docket the licensee's 10
19 CFR 50.82(a) (1) certification that a power reactor has
20 permanently ceased operations. Which formally
21 belongs, which is formally the decommission process.

22 However, Part 26 continues to apply to the
23 holder of the combined license issued under Part 52
24 throughout decommissioning. There is no, staff
25 believes no technical basis for this inconsistency.

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1 10 CFR Part 26.3 would be revised to
2 specify that Part 26 also no longer applies to a Part
3 52 license holder once the NRC docket the licensee's
4 52.10, 10 CFR 52.10(a), certification that the power
5 reactor has permanently ceased operation. So that's
6 the first change, is related to fitness-for-duty scope
7 in 10 CFR 26.3.

8 The second item to highlight here is
9 related to criminal penalties. Section 26.3 includes
10 a substantive requirement for certain entities to
11 comply with the requirements of 10 CFR Part 26 by a
12 specific deadline. The violations of the regulation
13 should be subject to criminal penalties.

14 The specific deadlines in 26.3(a) were
15 added in the 2008 Part 26 final rule. But Section
16 26.825(b) was not updated to reflect this change,
17 which is an oversight. Therefore the proposed rule
18 would remove 10 CFR 26.3 from the list of provisions
19 that are not subject to criminal penalties if violated
20 in Section 26.825(b).

21 The third item I wanted to highlight for
22 this topic is related to the Part 73 insider
23 mitigation program. Section 73.55(b)(9)(ii)(B)
24 requires that a licensee's insider mitigation program
25 contains elements of a fitness-for-duty program

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1 described in Part 26, but does not identify which
2 fitness-for-duty program element must be included in
3 the insider mitigation program.

4 The proposed rule would establish the
5 required elements of the fitness-for-duty program and
6 an insider mitigation program for operating and
7 decommissioning reactors under Part 50 and 52.

8 Next slide please. Slide 17. This is
9 certified fuel handler definition and elimination of
10 the shift technical advisor.

11 Certified fuel handlers are non-licensed
12 operators who are commonly used at permanently de-
13 fueled nuclear facilities with irradiated fuel in
14 their spent fuel pools. The certified fuel handler is
15 intended to be the on shift representative who is
16 responsible for safe fuel handling activities and
17 always present on shift to ensure safety of the spent
18 fuel and any decommissioning related activities at the
19 facility.

20 Currently, a certified fuel handler is
21 qualified through a training program that must be
22 reviewed and approved by the NRC. The proposed rule
23 would modify the definition of a certified fuel
24 handler and add a provision that removes the need for
25 NRC approval of the training program if the training

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1 program for certified fuel handler is derived from a
2 systems approach to training and includes specific
3 topics, which are outlined in the proposed rule
4 language.

5 Specifically, the training program must
6 address the safe conduct of decommissioning
7 activities, safe handling and storage of spent fuel
8 and an appropriate response to plant emergencies.

9 The proposed rule would also clarify that
10 a shift technical advisor is not required for
11 decommissioning nuclear power reactors.

12 Next slide please. So we have two slides
13 on this topic. This is decommissioning funding
14 assurance.

15 So the summary that, changes we're making.
16 The proposed rule modifies the biennial
17 decommissioning trust fund reporting frequency for
18 operating reactors, it's in 10 CFR 50.75, to be
19 consistent with the three year reporting frequency for
20 independent spent fuel storage installation.

21 We're making two changes related to
22 independent spent fuel storage insulation funding
23 reports. It would allow licensees to combine the
24 reports required by the regulations listed on the
25 slide there, 50.82(a)(8)(v), (8)(vii) and 10 CFR

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1 72.30. Also related to ISFSI funding report they
2 would remove the requirement for NRC approval of the
3 report filed under 10 CFR 72.30(c).

4 The proposed rule would clarify that when
5 a licensee identifies a shortfall in the report,
6 required by 50.75(f)(1) the licensee must obtain
7 additional financial assurance to cover the shortfall
8 and discuss that information in the next report.

9 And then the final item to highlight here,
10 the proposed rule would make administrative changes to
11 ensure consistency with 50.4, written communications,
12 regarding the submission of notifications and to
13 eliminate 50.75(f)(2) because 50.75(f)(1) fully
14 encompasses paragraph (f)(2).

15 All right, next slide please. So there
16 are a number of, there are five specific requests for
17 comments related to this topic. We're still on the
18 decommissioning funding assurance, Slide 19.

19 So the headings for each of those specific
20 requests are listed here. That's in section, I think
21 I said Section 5 of the proposed rule. So I'm just
22 going to highlight briefly what these specific
23 requests are about.

24 So the first one, financial assurance.
25 What are the advantages and disadvantages of updating

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1 the formula to reflect recent data and to cover all
2 estimated radiological, decommissioning costs rather
3 than the bulk of the costs?

4 The second one, the site specific cost
5 analysis. What are the advantages and disadvantages
6 of requiring a full site investigation and
7 characterization at the time of shutdown and of
8 eliminating the formula and of requiring a site
9 specific cost estimate during an operation?

10 Decommissioning trust funds. Should the
11 NRC's regulations allow decommissioning trust fund
12 assets to be used for spent fuel management if there
13 is a projected surplus in the fund based on the
14 comparison to the expect cost identified in the site
15 specific cost estimate, and the assets are returned to
16 the fund within established period of time?

17 So this is a question that we're asking
18 for feedback on. What are the advantages and
19 disadvantages of allowing decommissioning trust fund
20 assets to be used for these purposes?

21 What are the advantages and disadvantages
22 of allow decommissioning trust fund assets to be used
23 for non-radiological site restoration prior to the
24 completion of radiological decommissioning?

25 So just to be clear, that is not a change

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1 that's proposed but it is a question and we are asking
2 for feedback on that topic.

3 Timing of decommissioning fund assurance
4 reporting. What are the advantages and disadvantages
5 of extending the reporting frequency from two years to
6 three years? Does this change affect the risk of
7 insufficient decommissioning funding?

8 And the last specific question. Identical
9 requirements under Section 50.82 and 52.110, besides
10 proposing conforming changes to 10 CFR 52 the NRC is
11 asking whether the NRC should maintain identical
12 requirements. In 10 CFR 52.110 and 50.82 for Part 52
13 and Part 50 licensees.

14 There is also additional guidance, as I
15 mentioned earlier. The update, the proposed update to
16 Reg Guide 1.159. Assuring the availability of fund
17 for decommissioning production of the utilization
18 facilities.

19 Next slide please. Slide 20 is focusing
20 on offsite and onsite financial protection
21 requirements and indemnity agreements.

22 These changes would provide regulatory
23 certainty by minimizing the need for licensees of
24 decommissioning reactors to request regulatory
25 exemptions for relief from requirements that should

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1 apply only to operating reactor licensees.

2 And the specific requests for public
3 comment. What are the advantages and disadvantages of
4 requiring an existing level of assurance to be
5 maintained until all spent fuel is in dry cask
6 storage, or Level 3?

7 And I think I don't have the information
8 right in front of me on that second question, I'll get
9 back to that one also later.

10 Okay, next slide please. So we're on
11 Slide 21. Environmental considerations. The proposed
12 rule clarifies various environmental reporting
13 requirements, including those related to the content
14 to the post-shutdown decommissioning activities
15 report, or PSDARs.

16 In part, the proposed rule change would
17 clarify that licensees, at the PSDAR stage are
18 required to evaluate the environmental impacts from
19 decommissioning and provide in the PSDAR the basis for
20 whether the proposed decommissioning activities are
21 bounded by previously issues site-specific or generic
22 environmental reviews.

23 The Commission provided additional
24 direction in its staff requirements memorandum, which
25 is the Commission's direction to the NRC staff. With

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1 respect to the consideration of any identified
2 unbounded impacts.

3 The rule changes would allow licensees to
4 use appropriate federally issued environmental review
5 documents prepared in compliance with the Endangered
6 Species Act, the National Historic Preservation Act,
7 or other environmental statutes, rather than just
8 environmental impact statements. The rule would also
9 remove language referencing amendments for authorizing
10 decommissioning activities in 10 CFR Part 51.

11 In developing the original proposed rule,
12 the NRC staff considered, but dismissed, a proposal
13 that staff approve each licensee's PSDAR before
14 allowing major activities to begin. Major
15 decommissioning activities to begin.

16 This was done on the basis that requiring
17 approval of a PSDAR would have no additional benefit
18 in terms of public health and safety. However, as
19 will be discussed later, the staff is directed by the
20 Commission to solicit public comment on the question
21 of whether the NRC should require approval of PSDAR,
22 site-specific environmental review, and a hearing
23 opportunity before undertaking any decommissioning
24 activity.

25 The two regulatory guides related to

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1 PSDARs were revised. So they're kind of combined into
2 a single bullet there. We're updating two guidance
3 documents associated with this topic. So those two
4 were revised to include clarifying language consistent
5 with the rule changes.

6 On a related topic that we have gotten
7 some questions about is not, I'm sorry, it is showing
8 on this slide here. That last sentence under
9 additional information.

10 The decommissioning generic environmental
11 impact statement will be updated, not as part of this
12 rulemaking activity, that will be updated separately
13 in the future. And the NRC will be putting out more
14 information about that in the future. So I wanted to
15 acknowledge that.

16 Next slide please. So we're on Slide 22,
17 record retention requirements. As noted, when a plant
18 is no longer operating and is in decommissioning, most
19 plant components, such as pumps and valves are no
20 longer in service and will eventually be removed as
21 part of the dismantlement activities. Therefore there
22 is no longer a need to retain certain records
23 associated with these components. And the rulemaking
24 eliminates many record retention, many recordkeeping
25 retention requirements.

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1 The proposed change would not impact the
2 records that are required to be maintained in support
3 of decommissioning and license termination activities.

4 The proposed rule also includes the specific question
5 concerning the recordkeeping requirements for
6 facilities licensed under 10 CFR Part 52.

7 One of the rulemakings, few proposed
8 changes in Part 52 would be in Section 52.63 regarding
9 the recordkeeping and retention requirements for
10 departures from the design of the facility. However,
11 these changes would not apply to a combined license
12 holder that references one of the certified designs in
13 Part 52 appendices because those appendices have their
14 own recordkeeping provisions.

15 The NRC is asking if we should revise the
16 Part 52 appendices to conform those recordkeeping
17 requirements with those proposed for 52.53.

18 Next slide please. Okay, Slide 23, low
19 level waste transportation. When a plant is actively
20 being decommissioning the plant typically generates
21 large volumes of bulk low level radioactive waste.

22 To efficiently manage the transportation
23 of the waste to a licensed disposal site most
24 licensees ship waste by rail. The railroads control
25 the schedule for the transportation of the railcars to

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1 the destination. And the time to reach the disposal
2 destination is generally more than the 20-day
3 notification requirement that's currently in the
4 regulation.

5 Licensees, the licensees will continue to
6 track and monitor the location of the progress of
7 their low level waste shipments, but notification to
8 the NRC would no longer be required unless the 45-day
9 limit is exceeded. So changing the 20 days to 45
10 days.

11 Next slide please. Spent fuel management
12 planning. So a brief background on this topic. The
13 NRC staff identified ambiguity in the spent fuel
14 management and decommissioning regulations due to a
15 lack of cross referencing between Part 72 and Part 50.

16 The rulemaking clarifies the information
17 for consistency. Specifically, the regulation in 10
18 CFR 72.218 states that the 10 CFR 50.54(bb) spent fuel
19 management program, or the irradiated fuel management
20 plan, or IFMP, must show how the spent fuel will be
21 managed before starting to decommission systems and
22 components needed for moving unloaded, unloading and
23 shipping the spent fuel.

24 Section 72.218 also requires that an
25 application for termination of a reactor operating

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1 license submitted under 50.82 or 52.110 must also
2 describe how the spent fuel stored, under the Part 72
3 general license, will be removed from the reactor
4 site. Although Section 72.218 states what information
5 must be included in these Part 50 documents.

6 The corresponding regulations in Part 50
7 do not contain this information therefore the NRC
8 proposes to clarify and align the regulations in
9 Section 50.54(bb), 50.82, 52.110 and 72.218 to ensure
10 appropriate documentation of spent fuel management
11 plans and decommissioning plans.

12 I think we might be on the wrong slide,
13 can you back up please? Sorry. Sorry. Thank you so
14 much. So, yes, sorry. We're on the spent fuel
15 management planning topic.

16 Okay. So the rule changes that we are
17 proposing in 50.54(bb). The NRC proposes moving the
18 72.218 provisions to 50.54(bb) to clarify that the
19 irradiated fuel management plan must be submitted and
20 approved before the licensee starts to decommission
21 system structures and components needed for moving,
22 unloading and shipping the spent fuel.

23 The NRC proposes to clarify the current
24 IFMP approval process and the 50.54(bb) provisions
25 regarding preliminary approval and final NRC review of

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1 the irradiated fuel management plan as part of any
2 proceedings for, sorry, as part of any proceedings for
3 continued licensing under Part 50 or 72 as these
4 proceedings no longer exist as they did when 50.54(bb)
5 was first promulgated.

6 The NRC proposes to require submittal of
7 the initial IFMP and any subsequent changes to the
8 IFMP as a license amendment request. So 72.218, the
9 changes in that section.

10 The NRC proposes revising Section 72.218
11 to address the requirements related to decommissioning
12 and termination of the Part 72 general license as the
13 current title of 72.218, which is termination of
14 licenses, suggests.

15 Specifically, the proposed Section 72.218
16 notes that the general licensed ISFSI must be
17 decommissioned consistent with the requirements in
18 50.82 or 52.110 as the general license ISFSI is part
19 of the Part 50 or Part 52 licensed site. Also, the
20 proposed 72.218 notes that the general license is
21 terminated upon termination of the Part 50 or 52
22 license.

23 There is a specific request for comment
24 associated with this topic. The proposed rule
25 clarifies the current IFMP approval process by

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1 requiring submittal of an initial IFMP and that any
2 changes to the IFMP, I'm sorry, and any changes to the
3 IFMP for NRC review and approval by license amendment,
4 we would like to know if stakeholders see any
5 challenges with implementing this part of the proposed
6 rule.

7 We're also considering including a change
8 control provision to specify what changes the licensee
9 can make to the IFMP without NRC approval. We would
10 like to know what stakeholders input on a change
11 control process, including criteria for changes
12 licensees can make without NRC approval and any
13 associated recordkeeping or reporting requirements for
14 those changes.

15 We are making updates to guidance
16 associated with this topic. For the IFMP we added
17 guidance to draft guide 1347 in Sections (c)(3) to
18 outline the information to be included in the
19 licensee's IFMP.

20 For general licensee ISFSI decommissioning
21 we added references to general license ISFSIs in both
22 Draft Guide 1347 and 1349 to make it clear that the
23 general license ISFSI must be decommissioned
24 consistent with the requirements in 50.82 and 52.110.

25 The NRC staff believes that these changes will

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1 provide regulatory clarity and an enhanced overall
2 regulatory transparency and openness regarding
3 decommissioning and spent fuel management planning.

4 Next topic please. Or next slide please.

5 All right, so at this point I will turn it over to
6 Mr. Howard Benowitz, who is here at the table with me.

7 Howard is a senior attorney in the NRC's
8 Office of the General Counsel and is our lead attorney
9 for this rulemaking activity. Howard.

10 MR. BENOWITZ: Thanks, Dan. And for the
11 reporter, my name is Howard Benowitz with the NRC's
12 Office of the General Counsel.

13 We're on Slide 25, the backfit rule. And
14 in this proposed rule we will be providing a new
15 backfitting provision that would be for nuclear power
16 reactor licensees and decommissioning.

17 The proposed rule would renumber the
18 paragraphs of current 10 CFR 50.109. So that Section
19 50.109(a) would be the current backfit rule. And
20 50.109(b) would be the new rule text for
21 decommissioning nuclear power plant licensees.

22 The NRC is also proposing edits to the
23 backfitting provision in Part 72 so that that
24 provision applies during decommissioning of an ISFSI
25 or a monitored retrievable storage facility.

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1 And we would also revise the requirement
2 in 50.109 that the NRC must consider the costs of
3 imposing a backfit if the basis for backfitting is the
4 compliance exception to the requirement to perform a
5 backfit analysis. This would reflect a change in the
6 Commission's backfitting policies. And that came in a
7 2019 update to Management Directive 8.4.

8 Next slide please. That would be Slide
9 26. Regarding foreign ownership control or
10 domination.

11 The Atomic Energy Act and the NRC's
12 regulations provide definitions for utilization
13 facilities and production facilities. Additionally,
14 some of the provisions of the act, and our
15 regulations, including the foreign ownership control
16 or domination prohibition, apply only to a utilization
17 or a production facility.

18 During decommissioning activities, a
19 utilization facility, or a production facility, will
20 be dismantled to the point that it no longer meets the
21 definition of production or utilization facility.

22 The proposed rule adds language to
23 establish the criteria for when exactly a utilization
24 facility, or a production facility, is no longer a
25 utilization facility or a production facility. Just

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1 physically the dismantling of the facility, or
2 whatever the licensee does to the facility, prohibits
3 it from actually performing the functions that enable
4 it to be "utilization facility or a production
5 facility."

6 The proposed rule also adds language to
7 affirm that despite not being a production or
8 utilization facility. The NRC would continue to have
9 statutory authority over the existing Part 50 or 52
10 license. And that the NRC regulations applicable to a
11 utilization facility or a production facility will
12 continue to apply to the holder of that Part 50 or
13 Part 52 license. Unless the regulations explicitly
14 state otherwise.

15 An example of this is another proposed
16 change we had in this rule which would amend the
17 foreign ownership control or domination regulation
18 that's in 10 CFR 50.38. And we would change it to
19 state that it would no longer apply, that prohibition
20 would no longer apply once a Part 50 or 52 facility is
21 no longer a utilization or a production facility.

22 Therefore our regulations would not
23 prohibit the transfer of a Part 50 or 52 license for a
24 facility that is no longer a utilization facility or a
25 production facility. No longer prohibited to transfer

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1 that license to a foreign owner controlled or
2 dominated entity.

3 Next slide please. Going back to the
4 backfit slide, I just realized there's a specific
5 request for comments. We do have one on the backfit
6 rule section.

7 It asks if there are -- we want your
8 feedback on the advantages or disadvantages of having
9 a backfit provision for licensees and decommissioning.

10 I'm now on Slide 27. Regarding
11 clarification of scope of license termination plan
12 requirements. This part of the proposed rule would
13 clarify regulations in 10 CFR 50.82 and 52.110.

14 Concerning the license termination
15 requirements. And state that they do not apply before
16 fuel has been loaded into the reactor. Consistent
17 with our historical practice.

18 These license termination provisions are
19 written for reactors that have commenced operation.
20 And the NRC has historically viewed operation as
21 beginning with the loading of fuel into the reactor.
22 And this is discussed in more detail in the proposed
23 rule FRN.

24 The NRC is proposing this change because
25 some confusion has arisen about whether 52, 10 CFR

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1 52.110 was applicable when certain combined license
2 holders sought to terminate their licenses during
3 construction, or before construction even began. The
4 NRC informed these licensees that 10 CFR 52.110 did
5 not apply for reasons that are documented in the
6 proposed rule.

7 Next slide please. It would be Slide 28.

8 Concerning the removal of certain license conditions
9 and withdrawal of an order.

10 So the order is Order EA-06-137. Which
11 was issued in the post-9/11 time period concerning
12 mitigation strategies for large fires or explosions at
13 nuclear power plants. We subsequently issued
14 regulations that are very similar to that order.

15 And the license conditions are conditions
16 associated with that order, order EA-02-026. And the
17 cyber security license conditions that Dan discussed
18 previously.

19 These license conditions in this order are
20 all substantively redundant with existing provisions
21 in our regulations. And so there is no reason to have
22 the license conditions in the licenses and for this
23 order to still be on the books.

24 So the license condition is deemed removed
25 would be actually removed by an administrative license

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1 amendment after we, after the effective date of this
2 final rule. Presumably. Presuming that this final
3 rule includes this provision.

4 This will be done by the NRC staff.
5 Licensees would not have to submit anything by putting
6 it into the rule like this. It's procedurally more
7 efficient.

8 We are interested in obtaining stakeholder
9 input to identify potential redundant requirements
10 that are not in this proposed rule that have to do,
11 ideally related to decommissioning.

12 Next slide please. That will be slide 29.

13 This one is pretty straightforward. We have
14 regulations on our books that as written, apply to
15 what, Part 50 licensees that are in decommissioning.

16 But don't mention that provision in Part
17 52, 52.110, that would make that regulation
18 applicable, or not applicable, once that Part 52
19 licensee goes into decommissioning. So we have
20 identified several, you can see them in the top right
21 corner of the slide in that box, several regulations
22 that require, in almost every instance, it's just
23 adding the words, and 52.110, or something to that
24 effect, to ensure there is consistency between how
25 these regulations apply or don't apply to a Part 50,

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1 holder of a Part 50 operating license and a Part 52
2 combined license.

3 And that's it for me, Dan. Back to you.

4 MR. DOYLE: Thank you so much, Howard.
5 Next slide, please. Okay. I promised I would get
6 back to you on it, so, again, we have the Section V in
7 the Federal Register Notice.

8 We have quite a list of specific requests
9 for feedback for you to consider if this is something
10 that you are interested in. This helps the Agency
11 kind of direct attention to areas where we are
12 particularly interested in your feedback.

13 So, again, there are 18 questions that are
14 in there. We highlighted the ones that were related
15 to the previous topics, the previous on the 16
16 separate technical areas that we just finished talking
17 about.

18 So here is all of them. So there were a
19 few that I wanted to follow up with you about or
20 explain, make sure I touched on. So cyber security, I
21 think I did not cover that one. It is the fifth one
22 on the left side.

23 So the proposed rule applies cyber
24 security requirements to Level 1 plants. So that's
25 when they submit, after they submit the two

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1 certifications.

2 The licensee in Level 2, which is after
3 the sufficient decay of the spent fuel, would not be
4 required to maintain a cyber security plan under this
5 proposed rule because the NRC is determined that there
6 is little chance that the spent fuel in the spent fuel
7 pool could heat up to a clad ignition temperature
8 within ten hours.

9 So our question is what would be the
10 advantages and disadvantages of extending that through
11 the end of Level 2, so extending it until, extending
12 the requirement to maintain the cyber security program
13 until all spent fuel is transferred to dry cask
14 storage. So that would be Level 3. So that is what
15 that question is about.

16 So we'll just stay on this slide here.
17 Let me jump a little bit. All right. The next one I
18 wanted to mention was insurance for specific license
19 ISFSIs. That's the fourth one on the right side
20 there.

21 Insurance for specific license ISFSIs, so
22 we have a question about that. So the question
23 basically gives a background about how things work
24 today and here is what I wanted to direct your
25 attention to, the NRC recognizes that as the reactor

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1 site is decommissioned eventually all that remains of
2 the Part 50 or 52 license site is the general license
3 ISFSI under Part 72, which is essentially the same as
4 a specific license ISFSI under 10 CFR Part 72.

5 So general license, specific license
6 ISFSI, essentially the same. Considering that 10 CFR
7 Part 72 specific license ISFSIs have no financial
8 protection requirements should the NRC address the
9 disparity between specific license and general license
10 ISFSIs as part of this rulemaking? Please provide an
11 explanation for your response. That is the question.

12 All right. And then there were a few
13 other ones that were, didn't really fit under the
14 topics that we covered there, so I wanted to mention
15 the PSDAR approval question, a timeframe for
16 decommissioning, those are both on the upper left
17 there, and then on kind of the right side the
18 exemptions and the question about applicability.

19 So PSDAR approval. So the question talks
20 about basically how thing work today with the post-
21 shutdown decommissioning activities report. We
22 already talked about that a little bit.

23 So the question is essentially should the
24 NRC require approval of the PSDAR site-specific
25 environmental review, have a site-specific

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1 environmental review, and a hearing opportunity. We
2 are asking for stakeholder input on that.

3 The next one was the timeframe for
4 decommissioning. So the NRC is not proposing changes
5 to the decommissioning timeframe requirements as part
6 of this proposed rule.

7 Not proposing changes, but we are asking a
8 question. What would the advantages and disadvantages
9 be of requiring prompt decontamination rather than
10 allowing up to 60 years to decommission a site?

11 As part of its review of the PSDAR what
12 are advantages and disadvantages of NRC evaluating and
13 making a decision about the timeframe for
14 decommissioning on a site-specific basis?

15 All right, two more that I wanted to
16 highlight for you related to exemptions. What are the
17 advantages and disadvantages of the current 10 CFR
18 50.12 approach to decommissioning related exemptions?

19 What standard should the NRC apply in
20 determining whether to grant exemptions from the new
21 or amended regulations? What are the advantages and
22 disadvantages of providing an opportunity for the
23 public to weigh in on such exemption requests?

24 Are there other process changes the NRC
25 should consider in determining whether to grant

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1 exemptions from the new or amended regulations?

2 And the last one I wanted to highlight
3 that I had not already covered is, it's underlined, it
4 says applicability. So Section III of this document
5 of the proposed rule has the discussion about
6 applicability, so we do have a specific discussion
7 that is in there about applicability to NRC licensees
8 during operations and to ISFSI only or stand-alone SSC
9 decommission reactor sites.

10 So I know that there has been some
11 stakeholder interest in this and how does this rule
12 apply to reactors that are currently operating, how
13 does it apply to reactors or facilities that have
14 already decommissioned, so we do discuss that in that
15 section.

16 Permanently shutdown nuclear power plants
17 will be at a different stage of the decommissioning
18 when the new decommissioning regulations become
19 effective and we'll have previously received varying
20 regulatory exemptions.

21 So we are asking stakeholders if you
22 foresee any implementation issues with the proposed
23 rule as it is currently written for any new or amended
24 requirements in the proposed rule, how should the
25 requirement apply to sites that are currently in

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1 different stages of decommissioning.

2 All right. So we have briefly touched on
3 each of these questions. Next slide, please. There
4 is a regulatory analysis. This is a standard NRC
5 practice for rulemaking.

6 We have a document where we attempt to
7 identify all of the costs and benefits associated with
8 the action that we are proposing. So we have a draft
9 regulatory analysis for this rulemaking and I wanted
10 to highlight a few aspects of that.

11 So, in summary, the proposed rule is
12 determined to be cost beneficial with the estimated
13 net averted cost of approximately \$17.9 million at a 7
14 percent net present value, \$37 million at a 3 percent
15 net present value, for the recommended alternatives.

16 There are a few decommissioning areas that
17 we wanted to point out. The emergency preparedness,
18 that kind of had the largest influence on this
19 outcome.

20 The emergency preparedness alternative was
21 estimated to result in this net averted cost of
22 approximately \$7.74 million at 7 percent.

23 So when we say net averted cost, these are
24 costs how the future would have essentially looked if
25 we are now proposing this action and savings compared

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1 to that with what we are proposing, so those are
2 considered as benefits.

3 The drug and alcohol testing alternative
4 would have \$7.03 million net averted cost and the
5 decommissioning funding assurance, I'm sorry, funding,
6 sorry, I think it was a missed, typo on the slide
7 there, assurance alternative, decommissioning funding
8 assurance, not insurance, is estimated to result in
9 net averted costs of approximately \$1.18 million. All
10 those are 7 percent net present value.

11 You are welcome to review and provide any
12 feedback on this document as part of the proposed rule
13 and comment.

14 Next slide, please. Again, this slide,
15 I'm sorry, that document, the regulatory analysis on
16 the earlier slide where I had listed the proposed rule
17 and other related documents.

18 All right. There are a few tips that I
19 wanted to point out. I am sure many of the people who
20 are attending this have reviewed and commented on
21 proposed rules before and are well aware of the
22 resources that are out there, but in case you aren't,
23 and there are a few things that we are doing a little
24 differently here to try to help stakeholders who are
25 interested in giving this I just wanted to point out a

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1 few things that you are welcome to review.

2 Next slide, please. All right, so we have
3 three tips. Tip Number 1 is to consider reviewing
4 this commenter's checklist. It's on regulations.gov.

5 This is not something that the NRC wrote, but it's on
6 regulations.gov, which is this website that many other
7 agencies use, including the NRC, for providing
8 information about rulemaking activities and to collect
9 public feedback.

10 So they have developed a list of tips and
11 things to consider as you are reviewing a proposed
12 rule to try to help the process overall be more
13 efficient, to kind of provide the kind of information
14 that is helpful to federal agencies when you submit
15 your comments, so please consider taking a look at
16 that.

17 There is a link to that checklist right on
18 regulations.gov. There is a comment form. So if you
19 click on the comment form you can enter your comments
20 there. Right on the top of that it has a link to this
21 checklist and there is also a printable format.

22 So if you are able to click the link here
23 and you wanted to do that that would come up. If not,
24 then I apologize, and you could download the slides
25 or, again, you could contact me and I could, I am

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1 happy to send it to you.

2 All right, next slide, please. Tip Number
3 2, I mentioned this earlier. This is a document that
4 we have created to assist the public when reviewing
5 this proposed rule.

6 This is the unofficial redline rule
7 language. So, again, this shows how the proposed rule
8 would modify the current regulations in
9 redline/strikeout format, so what would be deleted,
10 what would stay the same.

11 So we have included all of the text in any
12 section that we are modifying. So some of them, as
13 you kind of flip through and you see this is just, you
14 know, if it's just normal looking, black-and-white
15 text without any strikeout or underline that means
16 that there is no change to that.

17 So the proposed changes are just where
18 there is the underlined text for inserted and then the
19 strikeout for text that would be deleted. So it may
20 be helpful in providing context for the changes.
21 Please consider reviewing that.

22 Next slide, please. All right. The final
23 tip is that you can find additional information about
24 this rulemaking on the NRC's public website. So we
25 just created a single-page intended to be a one-stop

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1 shop for people who may be interested in this
2 rulemaking.

3 It has a direct link to the proposed rule,
4 a direct link to the form where you can submit a
5 comment if you would like to do that, the related
6 documents that I mentioned, public meetings, so
7 including this public meeting and future meetings that
8 Trish mentioned in her introduction.

9 We will be adding information there to be
10 able to join it before the meeting and then after the
11 meeting posting a link to the meeting summary and the
12 other materials if folks in the future were not able
13 to attend or if anyone here wanted to go back and take
14 a look at that later, we will be adding that to the
15 website.

16 There is a QR code if you wanted to scan
17 that and see it on your phone, but it would be kind of
18 small. There is also a short link, or you could find
19 it on the NRC's public website, or, if it's easier,
20 feel free, again, to just reach out to me and I will
21 be happy to send you a link to it.

22 Next slide, please. All right. So this
23 is just about the end of the prepared staff
24 presentation. I just wanted to highlight the next
25 steps, some of the key milestones.

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1 So, again, we are in the public comment
2 period right now. It closes May 17th, so that's 11:59
3 p.m. I believe it's Eastern Time, but just -- I
4 wouldn't cut it close.

5 But, anyway, it's like the end of the day,
6 so that full day you would be able to submit comments
7 and it is supposed to close like right before
8 midnight.

9 Then the staff will review all of the
10 public comments and address them as part of developing
11 the final rule package. The final rule is due to the
12 Commission October of 2023 and the final rule, or
13 estimated, so these are both estimated dates, October
14 of 2023 to the Commission and the final rule
15 publication date.

16 So we do keep our schedules updated on our
17 public website and if there is a change in the future
18 we would reflect that there.

19 Next slide, please. What is -- Let's see.

20 Okay, so that concludes what we had prepared. Thank
21 you for your attention going through that.

22 We hope that the information there was
23 helpful and useful and maybe could be used as a
24 reference or, you know, highlighting things that will
25 hopefully assist you in taking a look at this proposed

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1 rule. We are interested in your feedback.

2 So what we have on the agenda here --
3 Well, I think I was going to turn it back over to
4 Lance for this portion. Lance is our facilitator for
5 the meeting and will assist with the rest. Thank you.

6 MR. RAKOVAN: Yes, it's all good, Dan.
7 Thank you. That was a lot of time there and a lot to
8 digest so we wanted to give folks a chance to kind of
9 take a break, stretch their legs, take a bio break,
10 get some more caffeine, whatever you need.

11 So we were looking at ten minutes, but
12 looking at the time what do you say we start back up
13 at 2:35. Like it gives people a little bit longer
14 than ten minutes and we'll go ahead and open the floor
15 to questions at that point.

16 So, again, we'll start back at 2:35
17 Eastern. Sound good, Dan?

18 MR. DOYLE: Yes. Thank you so much.

19 MR. RAKOVAN: Okay.

20 (Whereupon, the above-entitled matter went
21 off the record at 2:24 p.m. and resumed at 2:35 p.m.)

22 MR. RAKOVAN: Folks, if you wouldn't mind
23 giving us a second, we're going to work on making sure
24 that we can unmute that line.

25 While we are waiting for that I will go

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1 ahead and go over a few things. So, again, please
2 remember that our goal here today is to help you, is
3 to help to provide you with information so that you
4 can provide informed comments.

5 So we ask that your questions focus on any
6 clarification you or others may need in terms of the
7 proposed decommissioning rule or the draft regulatory
8 guidance.

9 I will take questions here on Teams and on
10 the phone and Dan is going to help me out with any
11 hands that are raised in the Commissioner's Hearing
12 Room there at NRC Headquarters.

13 If you are on Teams you can use the raise
14 your hand feature to signal that you have a question.

15 Those on the phone can use star five. I will go in
16 order that I see hands come up.

17 Those on Teams should be able to unmute
18 themselves. Those on the phone can use star six to
19 unmute themselves. Again, I will take hands in the
20 order that I see them and work with Dan if there are
21 any questions there in the room.

22 With that, I will see if we have been able
23 to unmute the line in the room. Dan, we can't hear
24 you. Okay, unfortunately, you might need to call back
25 in, I don't know. I don't know how to unmute you, I

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1 apologize.

2 All right, I do see we have a question,
3 but I think we would like to try to work out our
4 technical issues before we take some, so if you could
5 give us a moment and we'll get to the questions.

6 Again, I will try to get them in the order
7 that I see them. I apologize for the delay, folks.

8 (Pause.)

9 MR. RAKOVAN: All right. I am getting
10 some messages that they are working on it. Again,
11 appreciate your patience on this.

12 (Pause.)

13 MR. DOYLE: Hello. Lance, can you hear
14 us?

15 MR. RAKOVAN: Yes, we can. You are a
16 little faint. You could be a little louder, but we
17 can hear you.

18 MR. DOYLE: Wonderful. How about now,
19 does that sound better?

20 MR. RAKOVAN: Yes, that's much better. We
21 do not have any kind of video feed or slide feed, but
22 that's okay. Do you want to go ahead? I do have one
23 hand up if you would like to take -- Oh, that person
24 just put their hand down, okay.

25 MR. DOYLE: All right. Yes, I think --

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1 MR. RAKOVAN: I hope we didn't intimidate
2 them.

3 MR. DOYLE: I think we will try to share
4 in case there are any questions, you know, that we
5 needed to have the slides we might need to jump back
6 to, so we will pull that up.

7 But, yes, so this is the fun part of the
8 meeting. We are here and interested in -- And, again,
9 so just to emphasize the purpose of the meeting here,
10 we are trying to help stakeholders understand the
11 proposed rule and comments would need to be submitted
12 in writing, but we are interested in any questions and
13 if there is anything that we can help to clarify.

14 Is there anyone here in the room that
15 would like to ask a question? We have the two
16 microphones.

17 MR. RAKOVAN: And, again, for anyone on
18 Teams you can raise your hand and I will take the
19 hands in the order that I see them. If you are on the
20 phone you can use star five to give me a signal and
21 then star six to unmute yourself and ask a question.

22 (Pause.)

23 MR. RAKOVAN: I see no takers on Teams.
24 Dan, anyone in the room there?

25 MR. DOYLE: Yes. It looks like we do have

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1 a taker. Yes, sir?

2 MR. CHAPPELL: Good afternoon. Coley
3 Chappell with PSEG Nuclear. A question on the use of
4 the unofficial redline.

5 What is the best way for when we are
6 preparing comments, what's the best way to use that
7 unofficial redline in conjunction with the updated
8 Federal Register information looking at in particular
9 perhaps some of the most recent changes that are being
10 proposed? Thank you.

11 MR. DOYLE: Okay. Thank you for that
12 question. So it sounded a little faint here in the
13 room. I will just repeat it again real quick in case
14 anyone was not able to hear.

15 The question was basically what's the best
16 way to use the unofficial redline document to
17 understand any changes, or recent changes.

18 So that document is another format or
19 another way of understanding what the changes would be
20 to the regulations.

21 So I know the last part of the Federal
22 Register Notice has the amendatory instructions where
23 it says "insert new section" 50.200, you know, delete
24 this paragraph and revise it to state the following,
25 right.

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1 It's kind of hard to tell what exactly the
2 changes are sometimes and just a list, we have to
3 follow a format that is given to us by the Office of
4 the Federal Register, to be extremely clear about what
5 the changes are, but that's not necessarily the best
6 format for a member of the public to really know just
7 by looking at it what actually is changing.

8 Sometimes there is just, you know, a word
9 or two that is changing. So that's just kind of
10 explaining again what the document is.

11 And then I think kind of what you are
12 getting at with, you know, recent changes, that if
13 there were, you know, we're going through a whole
14 process here, we follow our, we love processes and
15 procedures, and so part of that includes, you know,
16 the staff sending up, the staff sent up a paper to the
17 Commission. That was in 2018.

18 The Commission, there is, you know, up to
19 five Commissioners that are appointed for the NRC that
20 set the policy for the Agency. We have three at the
21 moment right now.

22 (Off microphone comment.)

23 MR. DOYLE: So they review and vote and
24 provide direction back to the staff in the staff
25 Requirements Memorandum, is what we call that. Then

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1 we, the staff, will update the documents to reflect
2 that.

3 So I think what you were getting at within
4 the recent changes was the areas where the Commission
5 had directed some changes. So the staff updated the
6 other portions of the rulemaking package to reflect
7 that, so we have addressed the Commission's direction.

8 So if you see changes in the rule text you
9 should also see a corresponding discussion that is
10 consistent with that in the, you know, the scope of
11 the proposal section or, you know, in the Federal
12 Register Notice where we explain here is what this
13 topic is about and what changes we are making and the
14 purpose of those changes that those should be
15 consistent with.

16 Those should be consistent with the
17 changes to the rule languages. So if you see
18 something you should be able to jump back to that
19 section and look through there and understand or there
20 is another kind of a backup section called the
21 section-by-section analysis. We use the word
22 "section" a lot.

23 So that goes through sequentially all of
24 the, every section in the Code of Federal Regulations
25 that has a change and just very briefly states what

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1 that change is. So those should all be consistent. I
2 hope that answers your question.

3 MR. CHAPPELL: Yes.

4 MR. DOYLE: Yes?

5 MR. BENOWITZ: This is Howard Benowitz at
6 the NRC. Please do not submit comments on the
7 unofficial redline document, that rule text. That is
8 not part of the official package, if you will.

9 That is the Federal Register Notice and
10 accompanying documents, like the regulatory analysis,
11 you know, those documents that Dan -- This unofficial
12 redline is a tool just to help the public understand
13 and see really more of the changes that we are
14 proposing to the rule language.

15 So we would ask for comments on what I
16 would call the official documents, that's the Federal
17 Register Notice, the regulatory analysis, the
18 environmental assessment, you know, those documents.

19 This is really not part of that. I think
20 this might be the first time or it's rare that we
21 provide a document like this in rulemaking space. You
22 might find it useful, you might not.

23 But if you comment on the rule text it
24 should be on what's in the Federal Register Notice,
25 that rule text. That's all. Thank you.

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1 MR. RAKOVAN: All right. Dan, anyone else
2 in the room have any questions, because I don't see
3 any hands in Teams? Again, if you have a question on
4 Teams -- Oh, I do, one just popped up. Jerry Bonanno,
5 if you could unmute yourself and ask your question.

6 MR. BONANNO: Sure. Thank you. I
7 appreciate it. I appreciate the presentation. I hope
8 you all can hear me okay.

9 This is Jerry Bonanno from NEI. I had a
10 question, maybe this one is for Howard, just on the
11 proposed backfitting language in the rule in the
12 proposed 51.09B.

13 So I note in the preamble to the proposed
14 rule there was a lot of discussion of the term
15 "operate" and "operation" and tied that term to the
16 spent fuel pool and the ISFSI and the associated SSCs.

17 So I just had a question on the proposed
18 rule language in (b)(1). It says, you know,
19 "Backfitting is defined as a modification or addition
20 to system, structures, or components in use after
21 permanent cessation of operations."

22 So I was curious if that language "in use"
23 was meant to kind of refer back to the spent fuel
24 pool, associated SSCs and the 2, or, you know, how "in
25 use" was intended to limit maybe the SSCs that the

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1 definition applied to.

2 MR. BENOWITZ: This is Howard Benowitz
3 with the NRC. Thank you for that question. I would
4 ask that -- I am not sure what kind of answer I am
5 going to give you, so, of course, you can submit it as
6 a question which would allow us more time to think
7 about the answer than what I am allotted here.

8 I am looking at that rule language now and
9 "SSCs in use after permanent cessation of operations"
10 -- I am just trying to think if I -- Maybe we need to
11 have a point where it no longer applies.

12 I mean that might be a comment. I am just
13 thinking out loud now to help all of us, because we
14 have when it, sort of when this provision would begin,
15 but we don't necessarily, I don't know if we have one
16 when it would end, and that might help answer your
17 question or it might help define what SSCs we're
18 talking about, right.

19 I mean even if we say a license
20 termination was still an ISFSI but then you have the
21 Part 72 provision, right, 72.62, backfitting provision
22 for an ISFSI.

23 So I think, you know, here, given that you
24 have that provision for an ISFSI, the spent fuel pool
25 I think is the, it would be applicable, that would one

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1 of the SSCs that would be applicable for this proposed
2 revision 50.109B(1) where it refers to SSCs.

3 Then, you know, once the facility no
4 longer has spent fuel pool, you know, what SSCs are
5 left. I mean it just, you know, depends on the
6 dismantling process.

7 But I would -- I think the answer -- I
8 think now then, thinking out loud to answer your
9 question, might be yes if the question was is it
10 referring to the SSCs like a spent fuel pool. I think
11 the answer there is yes. Does that help answer your
12 question?

13 MR. BONANNO: Yes, thank you. It was just
14 really trying to read whether, you know, when I read
15 it I had read it I think consistently with where you
16 ended up, Howard, which was it just depends what SSCs
17 are still, you know, at the plant and it's going to
18 depend on the phase of decommissioning that the plant
19 is in. But, yes, thank you, that helps.

20 MR. BENOWITZ: Great. Thanks.

21 MR. RAKOVAN: All right. Anyone else at
22 this time have any questions? Don't be shy, now is
23 the time, the floor is open.

24 Again, if you are on the phone you can use
25 star five. It looks like I do have a hand. If you

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1 could let us know who you are and go ahead with your
2 question, please.

3 MR. MONTGOMERY: Yes, hi. This is Bruce
4 Montgomery with the Nuclear Energy Institute. I would
5 like to thank everybody for this opportunity. We have
6 already heard a couple of our industry members are
7 going to be involved in reviewing this package, Jerry
8 and Coley.

9 It seems to me this is probably the -- You
10 know, I guess the best way to characterize this is
11 it's the beginning of an end of a very long journey
12 that started maybe, what, six years ago.

13 It looks like it's going to wrap up if we
14 stay on schedule in 2024, which means, you know, this
15 is an eight to ten year journey that we have been on.

16 But I would like to say that we very much
17 appreciate, just on a first glance of what we have
18 seen of the package, that the NRC has done a very
19 thorough and competent job of putting together this
20 very significant regulatory package.

21 It's a big body of work and, you know,
22 we've got some questions. I think you just heard a
23 couple of them.

24 I am not going to say that based on what
25 we have seen so far that we are going to ultimately

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1 agree with everything in the package, but if you
2 looked at, you know, if you would just say how much
3 have we seen that we agree to, I think that in the end
4 it's going to be a very high percentage of the changes
5 that the NRC is proposing that we are going to agree
6 with.

7 I think is a very significant improvement
8 in the regulatory framework around decommissioning.
9 It's going to result in significant efficiencies in
10 transitioning plants from operations and even through
11 decommissioning.

12 We still have work to do on the back end
13 of the process. We will be working on that
14 separately, but do very much welcome the work that NRC
15 has done to identify inconsistencies and efficiencies
16 of the process, so thanks to you all for that.

17 We do intend to respond by May 17th as
18 requested and we will also be responding to the
19 special questions that are included in the package.

20 So, again, Dan, I had hoped to be there in
21 person, it just didn't work out. I couldn't get my
22 Teams link to work, but, Dan and Howard and the rest
23 of your team, thanks so much for the work you have
24 done and the opportunity today, so thank you.

25 MR. RAKOVAN: Okay. Thank you, Bruce.

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1 All right. Dan, I am assuming that there is no other
2 hands in the room?

3 MR. DOYLE: No, there are no hands in the
4 room.

5 MR. RAKOVAN: All right. Again, if you
6 have a question you can raise your hand if you are on
7 Teams or hit star five if you are connected through
8 your phone line.

9 (No response.)

10 MR. RAKOVAN: Seeing no hands at this
11 time.

12 MR. DOYLE: Okay, sounds good. So let's
13 go to the next slide, which I think is all the way --
14 Yes, there we go.

15 So we are always interested in feedback on
16 our public meetings and how we could do them better,
17 for example don't drop the phone line during the
18 meeting. So lesson learned from that one.

19 So there are a number of questions and we
20 encourage you to fill out this feedback form just
21 about, not about the rulemaking, just about the
22 meeting itself and how it was conducted.

23 So there is the QR for that. You can also
24 have a, there is a link to that on the meeting details
25 page on the NRC website if you would like to provide

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1 feedback on that.

2 And just other I guess closing thoughts is
3 we do have another public meeting scheduled for next
4 Thursday, that's March 31st. We scheduled it later in
5 the day, so it's 4:00 p.m. to 7:00 p.m. Eastern Time.

6 The idea was to try to, you know, have
7 multiple opportunities, maybe if someone is in a
8 different time zone or is working or busy or just had
9 a conflict and wasn't able to attend today, but the
10 intention was to basically go through the same kind of
11 presentation as we did here, so going through the
12 discussion and the slides that we had today.

13 So if you are interested in kind of
14 following everything about this rulemaking and wanted
15 to see that I just wanted to point out that basically
16 the first half of it is similar to today and it would
17 be almost the same.

18 Again, we will have opportunity for
19 question and answer after that. So that's the part
20 that I imagine would be different. Also, Trish had
21 mentioned in the opening remarks that we are planning
22 for several public meetings around the country.

23 So we will be adding that to our website
24 once we have the details for that firm and, again,
25 those will be hybrid. So if folks happen to live near

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1 those locations and you wanted to come in person you
2 could. If you wanted to attend on Teams you can do
3 that.

4 So we'll be putting out the agenda. I
5 guess for now I am thinking -- Well, I guess we'll
6 have to reconsider if maybe a different format or a
7 different focus would be better.

8 I guess my kind of default for now would
9 be to follow kind of a similar format again, but we
10 are open to reconsidering and we'll circle back after
11 we complete these two meetings and we'll put out
12 agendas for those meetings in April.

13 But we just wanted to do everything that
14 we could to increase awareness of the proposed rule
15 and the opportunity to provide feedback on it, so
16 that's why we were planning to have those meetings.

17 I think that concludes everything that I
18 had in mind. Trish?

19 DR. HOLAHAN: I just wanted to add on to
20 what Dan said. We are considering, you know, having
21 the meetings, but we are going to have them probably
22 in Illinois, California, Georgia, and the Boston area
23 so we can have a broad spectrum of participants that
24 want to either come or they are interested in that
25 area.

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1 MR. DOYLE: Okay. Thank you, everyone, so
2 much for your attention. That is all we had for you
3 today. I think we are going to be wrapping this up
4 about an hour early, which is fine. Hopefully that's
5 okay with everybody.

6 Thanks again for your time and attention
7 and we look forward to any comments you may have on
8 the proposed rule. That concludes the meeting. Thank
9 you so much.

10 DR. HOLAHAN: Thank you.

11 MR. DOYLE: Have a great day.

12 (Whereupon, the above-entitled matter went
13 off the record at 3:00 p.m.)
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