

Regulatory Guide Periodic Review

Regulatory Guide Number: 3.65 Revision 1

Title: Standard Format and Content of Decommissioning Plans for Materials Licensees

Office/Division/Branch: NMSS/DUWP/URMDB
Technical Lead: James Smith

Staff Action Decided: Withdraw

1. What are the known technical or regulatory issues with the current version of the Regulatory Guide (RG)?

This RG was issued in 2008 to provide guidance on decommissioning leading to termination of a materials license. Licensees for decommissioning are required to demonstrate compliance with 10 CFR Part 30, "Rules of General Applicability to Domestic Licensing of Byproduct Material," 10 CFR Part 40, "Domestic Licensing of Source Material," 10 CFR Part 60, "Disposal of High-Level Radioactive Wastes in Geologic Repositories," 10 CFR Part 61, "Licensing Requirements for Land Disposal of Radioactive Waste," 10 CFR Part 63, "Disposal of High-Level Radioactive Wastes in a Geologic Repository at Yucca Mountain, Nevada," 10 CFR Part 70, "Domestic Licensing of Special Nuclear Material," and 10 CFR Part 72, "Licensing Requirements for the Independent Storage of Spent Nuclear Fuel and High Level Radioactive Waste, and Reactor Related Greater Than Class C Waste."

This regulatory guide endorses the method described in NUREG-1757, Volume 1, "Consolidated Decommissioning Guidance: Decommissioning Process for Materials Licensees." Since the RG was issued in 2008, there have been revisions to NUREG-1757, such as Volume 1, Revision 2, "Consolidated Decommissioning Guidance: Decommissioning Process for Materials Licensees," September 2006; Volume 2, Rev. 2 "Consolidated Decommissioning Guidance: Characterization, Survey, and Determination of Radiological Criteria; July 2022," and Volume 3, Rev.1 "Consolidated NMSS Decommissioning Guidance: Financial Assurance, recordkeeping, and Timeliness," February 2012. NUREG-1757 is currently kept up to date on the NRC Webpage at: <https://www.nrc.gov/reading-rm/doc-collections/nuregs/staff/sr1757/index.html>.

The last periodic review of this RG was performed in October 2013, and the review resulted in no issues identified. However, since RG 3.65 is only pointing to NUREG-1757, Revision 1, with no further documentation or staff positions, licensees using the older version of this NUREG could erroneously address outdated technical issues. Therefore, the staff determined during this review that RG 3.65 should be withdrawn.

2. What is the impact on internal and external stakeholders of not updating the RG for the known issues, in terms of anticipated numbers of licensing and inspection activities over the next several years?

There will be no impact on licensing and inspection activities since the guidance in NUREG-1757 includes up-to-date technology and more recent procedures for the "Standard Format and Content of Decommissioning Plans for Materials Licensees."

- 3. What is an estimate of the level of effort needed to address identified issues in terms of full-time equivalent (FTE) and contractor resources?**

Not Applicable.

- 4. Based on the answers to the questions above, what is the staff action for this guide (Reviewed with no issues identified, Reviewed with issues identified for future consideration, Revise, or Withdraw)?**

Withdraw.

- 5. Provide a conceptual plan and timeframe to address the issues identified during the review.**

As discussed in Management Directive (MD) 6.6, "Regulatory Guides," the NRC staff reviews RGs periodically to ensure that these guides continue to provide useful guidance. Since there is guidance already in NUREG-1757, "Standard Format and Content of Decommissioning Plans for Materials Licensees," the staff is planning to withdraw this RG in the next 4 months.

NOTE: This review was conducted in July 2024 and reflects the staff's plans as of that date. These plans are tentative and are subject to change.