Decommissioning Rulemaking

Presentation for the Nuclear Energy Tribal Working Group
Washington, DC

March 16, 2022
Recent and Planned Shutdowns

• Factors affecting licensees’ decisions
  ➢ Market factors resulting in a decline in power prices
  ➢ Increasing plant modification, maintenance, and repair costs

• Requests for license amendments, regulatory exemptions, and relief from orders
The NRC is seeking public comment on a proposed rule for decommissioning nuclear facilities

• The proposed rule would implement specific regulatory requirements for different phases of the decommissioning process consistent with the reduced radiological risk. Topics include:
  • Emergency preparedness
  • Decommissioning funding assurance
  • Environmental considerations
  • Spent fuel management planning
  • Record retention requirements

• Proposed rule published March 3, 2022 (87 FR 12254)
• Four draft regulatory guides available for comment in parallel with the proposed rule
• Comment period is open until May 17, 2022

Comments can be submitted at https://www.regulations.gov/ by searching for Docket ID NRC-2015-0070
## Graded Approach

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<tbody>
<tr>
<td>Post-Shutdown Emergency Plan (PSEP)</td>
<td>Allows for certain physical security plan changes without prior NRC approval</td>
<td>Removal of cyber security requirements</td>
<td>Reduction of onsite insurance to $50 million and offsite insurance to $100 million</td>
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<td>Permanently Defueled Emergency Plan (PDEP)</td>
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<td>ISFSI Only Emergency Plan (IOEP)</td>
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<td>Permanent or interim waste storage available</td>
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Proposed Rule and Related Documents

• **Proposed Rule**
  - Citation: 87 FR 12254 (March 3, 2022)
  - [Web version](#)
  - [Printed version](#)

• **Supporting & Related Material**
  - Draft Regulatory Analysis ([ML22019A132](#))
  - Draft Environmental Assessment ([ML22019A140](#))
  - Draft Supporting Statements for Information Collections ([ML18039A192](#))
  - Unofficial Redline Rule Text ([ML22032A001](#))
Guidance Documents


• DG-1347 Rev. 1 (Proposed RG 1.184 Rev. 2) Decommissioning of Nuclear Power Reactors (ML21347A080)

• DG-1348 Rev. 1 (Proposed RG 1.159 Rev. 3) Assuring the Availability of Funds for Decommissioning Production or Utilization Facilities (ML21347A081)

• DG-1349 Rev. 1 (Proposed RG 1.185 Rev. 2) Standard Format and Content for Post-Shutdown Decommissioning Activities Report (ML21347A138)
Unofficial Redline Rule Language

• This document shows how the proposed rule would modify the current regulations in redline/strikeout format.

• ADAMS Accession No. ML22032A001
Find additional information on the NRC public website

https://go.usa.gov/xzksC

Questions?
Contact Dan Doyle, Dan.Doyle@nrc.gov, 301-415-3748
Next Steps

• Public comment period ends: May 17, 2022
• Final rule to the Commission: October 2023 (estimated)
• Final rule publication: May 2024 (estimated)
<table>
<thead>
<tr>
<th>Acronym</th>
<th>Definition</th>
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<tbody>
<tr>
<td>ADAMS</td>
<td>Agencywide Documents Access and Management System</td>
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<tr>
<td>BWR</td>
<td>boiling water reactor</td>
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<tr>
<td>CFR</td>
<td><em>Code of Federal Regulations</em></td>
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<td>DG</td>
<td>draft regulatory guide</td>
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<td>ISFSI</td>
<td>independent spent fuel storage installation</td>
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<td>NRC</td>
<td>Nuclear Regulatory Commission</td>
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