

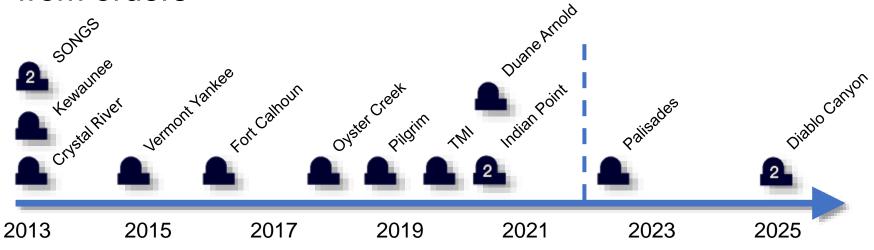
Decommissioning Rulemaking

Presentation for the Nuclear Energy Tribal Working Group Washington, DC

March 16, 2022

Recent and Planned Shutdowns

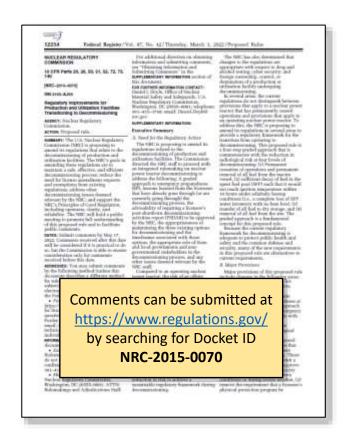
- Factors affecting licensees' decisions
 - Market factors resulting in a decline in power prices
 - Increasing plant modification, maintenance, and repair costs
- Requests for license amendments, regulatory exemptions, and relief from orders





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





Graded Approach

Docketing of 10 CFR 50.82/ 10 CFR 52.110 Certifications

LEVEL 1

Permanent Cessation of
Operations
+ 10 Months (BWR) or
16 Months (PWR)

LEVEL 2

All Fuel in Dry Cask Storage

All Fuel Offsite

LEVEL 3

LEVEL 4

Emergency Preparedness	Post-Shutdown Emergency Plan (PSEP)	Permanently Defueled Emergency Plan (PDEP)	ISFSI Only Emergency Plan (IOEP)	Permanent or interim waste storage available
Physical Security	Allows for certain physical security plan changes without prior NRC approval		Can transition from 10 CFR 73.55 to 10 CFR 73.51 requirements	
Cyber Security		Removal of cyber security requirements		
Onsite/Offsite Insurance		Reduction of onsite insurance to \$50 million		
		Reduction of offsite insurance to \$100 million		



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 (<u>ML22032A001</u>)



Guidance Documents

- DG-1346 Rev. 1 (Proposed New RG 1.235) Emergency Planning for Decommissioning Nuclear Power Reactors (ML21347A046)
- 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)

U.S. NUCLEAR REGULATORY COMMISSION

DRAFT REGULATORY GUIDE DG-1346 Revision 1

Proposed new Regulatory Guide 1.235

Technical Lead: Charles Murray

EMERGENCY PLANNING FOR DECOMMISSIONING NUCLEAR POWER REACTORS

A. INTRODUCTION

Purpose

This regulatory guide (RG) provides decommissioning nuclear power reactor locurses with a method that the staff of the U.S. Nuclear Regulatory Commission (NRC) considers acceptable for use in meeting regulatory sequisionments for emergency preparedness (EP) in Title 10 of the Code of Fooleral Regulatories (10 CFR) Part 50. "Domestic Locurings of Production and Chilization Facilities" (Raf. 1).

Applicability

This RG applies to applicants and focusees of nuclear power reactors licensed under 10 CFR Part 50 and 10 CFR Part 52, "Licenses, Certifications, and Approvals for Nuclear Power Plants" (Ref. 2).

Applicable Regulation:

- 10 CFR Part 50 provides regulations for licensing production and utilization facilities.
 - 10 CFR 50-67. "Emergency plans," and Appendix E to 10 CFR Part 50. "Emergency Planning and Preparedness for Production and Utilization Faculties." provides EP requirements for machine power mactors.
 - 10 CFR 30.54(q), "Emergency plans," provides requirements for emergency plans changes.

The RO is being record in drift form to involve the policie in the development of regulatory guidance in this stem. It lies no received float entill private on agreement an NES float stell privation. Profit comments are being related on this drift regulatory guide (DO) and its necessive implicatory makes in Comments should be incompassed by appropriate regulatory and comments may be estimated through the Profit-Comments should be incompassed by appropriate regulatory. By sent height for that the policies are in the comment of the drift regulatory makes 200 and 200 and

Electrosic copies of this DO and other recently sensed guidas are available through the NDC's public. Web cars under the Enginteery Outlies document collectros of the NDC Library or later, where are non-residence to collectrosistics, guida. The DO is the available through the NDC's Agencywish Document Across and Managament System. (ADAM2) or later, where are not residence are adopted long maker Account No. ML21047A048. The regulatory analysis are to found an ADAM2 study Accounts to No. ML21047A048.



Unofficial Redline Rule Language

- This document shows how the proposed rule would modify the current regulations in redline/strikeout format.
- ADAMS Accession No. <u>ML22032A001</u>

- (b) Each power reactor applicant for or holder of an operating license, and each applicant for a combined license united subpart C of 10 CFR part 52 for a production or utilization facility of the type and power level specified in paragraph (c) of this section shall submit a decommissioning report, an required by § 50.33(k).
- (1) For an applicant for or holder of an operating license under this part-60, the report must contain a certification that feare allegacingly, assurance for decrease consequently thinds will be mailtide to decommission will be fibr a license applicant), or has been fibr a license holder), provided in an amount which may be more, but not less, than the amount stated in the table is paragraph recipit of the contain abundance and recipit of that etable in paragraph recipit of the section. For an applicant he a semismod license under exclusive C of 10 CFR part 12, the report must contain a conflication that fragment assurance for decommissioning will be provided in other than 30 days after the Commission publisher redown the Federal Register and the table fragment in paragraph (c)(1) of this section, adjusted using a rate of least that stated in paragraph (c)(2) of this section, for an applicant for a continued license under section C of part 52 of this chapter. The report must contain a certification that reasonable assurance of lands to decommission will be provided to block that 30 days after the Commission publishes notice in the Federal Recipital under § 52 (10)(a) of this chapter in an amount which may be more, but not less, than the amount stated in the table of minimum amounts which may be more, but not less, than the amount stated in the table of minimum amounts in paragraph (c)(1) of this section, adjusted union a rate of least to that stated in the state of minimum.
- (2) The amount to be provided must be adjusted armustly using a rate at least equal to that stated in paragraph (c)(2) of this section.
- (3) The amount must be covered by one or more of the methods described in paragraph (e) of this section as acceptable to the SEC.
- (4) The amount stated in the applicant's or icensee's certification may be based on a <u>size-specific decommissioning</u> cost estimate for decommissioning the facility. The <u>size-specific</u> decommissioning cost estimate may be more, but not less, than the amount stated in the table of minimum amounts in paramach LeVI of this section, adjusted using a rate at least equal to that stated in paragraph (cVI2) of this section.

107



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)



Acronyms

ADAMS Agencywide Documents Access and

Management System

BWR boiling water reactor

CFR Code of Federal Regulations

DG draft regulatory guide

IOEP ISFSI-only emergency plan

ISFSI independent spent fuel storage installation

NRC Nuclear Regulatory Commission

PDEP permanently defueled emergency plan

PSEP post-shutdown emergency plan

PWR pressurized water reactor

RG regulatory guide

