

November 10, 2005

MEMORANDUM TO: William H. Ruland, Deputy Director  
Licensing and Inspection Directorate  
Spent Fuel Project Office  
Office of Nuclear Material Safety  
and Safeguards

FROM: Daniel M. Gillen, Deputy Director **/RA/**  
Decommissioning Directorate  
Division of Waste Management  
and Environmental Protection  
Office of Nuclear Material Safety  
and Safeguards

SUBJECT: IMPLEMENTATION OF THE NMSS DECOMMISSIONING PROGRAM -  
SFPO AND DWMEP COORDINATION AND RULE IMPLEMENTATION  
ON POWER REACTOR DECOMMISSIONING AND TURNOVER  
PROCESS

## 1. Overview

Staff from the Division of Waste Management and Environmental Protection (DWMEP) and the Spent Fuel Project Office (SFPO) met to devise a process to turnover U.S. Nuclear Regulatory Commission (NRC) Project Management (PM) responsibility for power reactors when decommissioning is complete and only spent fuel remains on site. This memorandum describes the turnover implementation process and the resource reallocation associated with the revised responsibilities. The staff used the transfer process for fuel cycle sites from the Division of Fuel Cycle Safety and Safeguards (FCSS) to DWMEP and the transfer of power reactors from the Office of Nuclear Reactor Regulation (NRR) to the Office of Nuclear Material Safety and Safeguards (NMSS) as the basis for developing this turnover process.

## 2. Background

NMSS Policy and Procedures Letter (P&PL) 1-77, "Reactor Decommissioning Program Procedures for Interfacing with NRR," dated October 4, 2002, defines in part, the licensing PM responsibilities for commercial power reactors as they transition from reactor operation to decommissioning. The P&PL also describes the support functions for staff regulatory oversight of commercial nuclear power reactors and spent fuel storage at decommissioning power reactor facilities.

Upon transfer from NRR to NMSS, SFPO has immediate PM responsibility for independent spent fuel storage installations (ISFSIs) holding specific licenses under 10 CFR Part 72. For sites where an ISFSI is present and is regulated under the general license requirements of Part 72, the P&PL (page 12) describes NMSS's PM responsibilities for site transfer. However, for sites without a specific Part 72 license, transfer from DWMEP to SFPO occurs when all

decommissioning and final survey activities related to reactor operations are completed and the only remaining operation conducted under the Part 50 license is the operation of the generally licensed ISFSI.

### 3. **Objective**

Responsibility for the NRC power reactor decommissioning program rests with DWMEP. The objective of this letter is to enhance regulatory oversight of decommissioning commercial power reactors with ISFSIs under Part 72 general licenses, as they transition from decommissioning activities to ISFSI operations only.

### 4. **Decommissioning Power Reactor Turnover Process to SFPO**

#### A. DWMEP Coordination with SFPO During Decommissioning

To facilitate a smooth transition of PM responsibility for generally licensed Part 72 ISFSIs from DWMEP to SFPO, SFPO must be made aware of licensee schedules for decommissioning and license termination. As such, DWMEP will notify SFPO when a power reactor with a generally licensed ISFSI submits its License Termination Plan (LTP) per 10 CFR 50.82. This notification, which will generally occur at least two years prior to license termination, will allow SFPO to appropriately plan and budget for the turnover of PM responsibility.

The attached list identifies the power reactors currently undergoing decommissioning. DWMEP maintains site status summaries for all decommissioning power reactors. Currently, the decommissioning power reactors with generally licensed ISFSI's include: Big Rock Point; Dresden – Unit 1; Haddam Neck; Maine Yankee; San Onofre – Unit 1; and Yankee Rowe.

#### B. SFPO Acceptance of Project Management Responsibilities and Matrix of Authority

Upon agreement that all decommissioning and final survey activities related to reactor operations are complete and the only remaining operation conducted under the Part 50 license is the operation of the generally licensed ISFSI, SFPO will formally assume PM and licensing responsibility for the site by memorandum from the Deputy Director, Decommissioning Directorate, DWMEP, to the Deputy Director, Licensing and Inspection Directorate, SFPO.

Once SFPO formally accepts PM responsibilities from DWMEP for an ISFSI regulated under Part 72 general license, interfaces with licensee and applicant shall be SFPO's responsibility. DWMEP will transfer all license docket paperwork and files to SFPO shortly after SFPO takes responsibility for the site. The DWMEP PM will meet with the SFPO PM to transfer the license records. PM's will use a Checklist (Attachment 2) to assure that the document turnover is efficient and thorough. Upon site transfer, it will be the SFPO's responsibility to ensure coordination is taking place among all external and internal NRC stakeholders.

##### **5. Resource Needs for Project Management Responsibility**

DWMEP will transfer PM responsibility to SFPO for four generally licensed ISFSIs between the years 2005 and 2008. This includes Maine Yankee, Haddam Neck, Yankee Rowe and Big Rock Point. In order to accommodate this new work (project management, amendment request reviews and site inspections) SFPO must acquire 1.0 full time equivalent (FTE) by fiscal year 2008. DWMEP and SFPO will work to identify the source of this additional FTE.

##### **Attachments:**

1. Power Reactors Currently Undergoing Decommissioning
2. License Turnover Checklist

**5. Resource Reallocation for Project Management Responsibility**

DWMEP will transfer PM responsibility to SFPO for four generally licensed ISFSIs between the years 2005 and 2008. This includes Maine Yankee, Haddam Neck, Yankee Rowe and Big Rock Point. In order to accommodate this new work (project management, amendment request reviews and site inspections) SFPO must acquire 1.0 full time equivalent (FTE) by fiscal year 2008. DWMEP and SFPO will work to identify the source of this additional FTE.

Enclosures:

1. Power Reactors Currently Undergoing Decommissioning
2. License Turnover Checklist

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**ML053040058**

OFFICE	DWMEP:PM	DWMEP:SC	DWMEP:DD
NAME	JBuckley	CCraig	DGillen
DATE	11/2/05	11/2/05	11/9/05

**OFFICIAL RECORD COPY**

**Power Reactors Undergoing Decommissioning**

<b>Reactor</b>		<b>Location</b>	<b>ISFSI License</b>	<b>LTP Submitted</b>	<b>LTP Approved</b>	<b>Completion of Decom.</b>
1	Big Rock Point	Charlevoix, MI	Part 50	4/03	3/05	2007
2	Dresden – Unit 1	Dresden, IL	Part 50	TBD	TBD	TBD
3	Fermi – Unit 1	Newport, MI	NA	2006	2007	2008
4	Haddam Neck – Connecticut Yankee	Meriden, CT	Part 50	7/00	11/02	2007
5	Humboldt Bay	Eureka, CA	Part 72	2007	2008	TBD
6	Indian Point – Unit 1	Buchanan, NY	TBD	TBD	TBD	TBD
7	LaCrosse	LaCrosse, WI	NA	TBD	TBD	TBD
8	Maine Yankee	Wiscasset, ME	Part 50	1/00	2/03	2005
9	Millstone – Unit 1	Waterford, CT	TBD	TBD	TBD	TBD
10	Nuclear Ship Savannah	Newport News, VA	NA	TBD	TBD	TBD
11	Peach Bottom – Unit 1	Delta, PA	NA	2012	2013	2014
12	Rancho Seco	Sacramento, CA	Part 72	2005	TBD	2008
13	San Onofre – Unit 1	San Clemente, CA	Part 50	TBD	TBD	TBD
14	Saxton	Saxton, PA	NA	2/00	3/03	2005
15	Three Mile Island – Unit 2	Harrisburg, PA	NA	TBD	TBD	TBD
16	Vallecitos	Pleasanton, CA	NA	TBD	TBD	TBD
17	Yankee Rowe	Greenfield, MA	Part 50	4/04	7/05	2007
18	Zion – Units 1 & 2	Waukegan, IL	NA	TBD	TBD	TBD

NOTE: Licensees submitted DPs (or equivalent) before 1996 and PSDARs after 1996.

**STAFF ACTIVITIES TO TRANSFER  
GENERALLY LICENSED ISFSIs FROM DWMEP TO SFPO**

“License Turnover Checklist”

**TRANSFER THE FOLLOWING DOCUMENTS**

1. License and Technical Specifications
2. Order(s)
3. Final Safety Analysis Report or Defueled Safety Analysis Report
4. Historical License amendment files/notebooks (if applicable)
5. Post Shut-down Decommissioning Activity Reports
6. License Termination Plan (if applicable)

**ITEMS TO BE DISCUSSED BY PROJECT MANAGERS**

1. Interveners and stakeholders
2. Periodic status call procedures (Region and Licensee)
3. Document Boilerplate/Distribution lists
4. Current/pending FOIA requests
5. Current/pending Green Ticket correspondence
6. Current/pending Enforcement activities
7. Licensee, Region, and State contacts/phone numbers