

July 31, 2006

MEMORANDUM TO: Larry W. Camper, Director
Division of Waste Management and Environmental Protection
Office of Nuclear Material Safety and Safeguards

Keith I. McConnell, Director
Decommissioning Directorate
Division of Waste Management and Environmental Protection
Office of Nuclear Material Safety and Safeguards

Ho K. Nieh, Acting Director
Division of Policy and Rulemaking
Associate Director for Risk Assessment and New Projects
Office of Nuclear Reactor Regulation

FROM: Andrew Persinko, Chief **/RA/**
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SUBJECT: TRANSITION PLAN AND COMMUNICATION PLAN FOR THE
TRANSFER OF 14 DECOMMISSIONING RESEARCH AND TEST
REACTORS, TWO DECOMMISSIONING EARLY DEMONSTRATION
REACTORS AND TWO DECOMMISSIONING POWER REACTORS

Attached is the transition plan and the communication plan for the transfer of project management and inspection responsibilities for 14 decommissioning research and test reactors, 2 decommissioning early demonstration reactors, and 2 decommissioning power reactors between the Offices of Nuclear Reactor Regulation (NRR) and Nuclear Material Safety and Safeguards (NMSS). The plans describe transition and communication activities that need to occur between now and September 30, 2006, and beyond to effect the transfer. The transfer will take effect on October 1, 2006. The plans have been coordinated with the regional staffs.

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301-415-7479

Attachments:

1. Communication Plan
2. RTR and 4 Power Reactor Transition Plan

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COMMUNICATION PLAN FOR THE TRANSFER OF DECOMMISSIONING RESEARCH AND TEST REACTORS AND POWER REACTORS FROM NRR TO NMSS

GOALS

The purpose of this Communication Plan is to provide the outline for how the U.S. Nuclear Regulatory Commission (NRC) will communicate with internal and external stakeholders about the transfer of the oversight and PM responsibility for the Office of Nuclear Reactor Regulation's (NRR's) remaining decommissioning reactors (two power reactors, two early demonstration reactors) and 14 Research and Test Reactors (RTRs) to the Office of Nuclear Material Safety and Safeguards/Division of Waste Management and Environmental Protection (NMSS/DWMEP). The goals of the Communication Plan are:

1. Ensuring NRC's message is consistent and clearly stated;
2. Determining products and a schedule by which communications will be completed;
3. Identifying stakeholders and considering the specific needs and concerns of each.

BACKGROUND

In November 2002, the staff changed the point at which a permanently shutdown nuclear power REACTOR would transfer from NRR to NMSS (SECY-02-0198, "Changes in Staff Regulatory Oversight of Decommissioning Commercial Nuclear Power Reactor Plants," November 8, 2002). In 2002, the staff informed the Commission that it was transferring PM responsibility for 13 power reactors from NRR to NMSS. At that time, NRR retained project management (PM) responsibility for the permanently shutdown units of Millstone 1 and Indian Point 1, because it had been decided that external stakeholder interest in these sites (for both the operating and decommissioning units) warranted NRR maintaining a single point of contact for each of these sites. In addition, NRR retained PM responsibility for the early demonstration reactors and RTRs that were in decommissioning, as at the time, it was determined that the regulatory oversight for these facilities could be managed more effectively by a small centralized organization in NRR, which was experienced in the unique regulatory needs of these facilities.

In response to the staff's October 18 2005 Briefing on Decommissioning Activities and Status, the Commission issued the November 1, 2005 SRM (SRM M051018), directing the staff to review the various aspects of NRC's decommissioning program and provide the Commission with possible options for further consolidation of the program in one division in NMSS.

The staff evaluated NRC's decommissioning program to determine if further consolidation of its elements into NMSS/DWMEP could result in any benefits or gains in efficiency and effectiveness in NRC's decommissioning program or across the Agency. The staff evaluated the following decommissioning areas: complex material sites; fuel cycle facilities; uranium recovery facilities; power reactors and research and test reactors; financial reviews; and research activities.

Staff provided the Commission with the results of its evaluation and followup actions in SECY-06-0106. Actions consist of:

Transfer the oversight and PM responsibility for NRR's remaining decommissioning reactors (two power reactors, two early demonstration reactors, and 14 RTRs) to NMSS/DWMEP. Enclosure 2 contains a list of the decommissioning reactors that will be transferred.

The staff may implement additional changes in the future, as necessary. Similar to the evaluation in this paper, any further changes would be based upon the following considerations: (1) the efficient use and balance of available resources and technical expertise in the Divisions, Offices, and Regions responsible for aspects of the decommissioning program; (2) the decommissioning requirements and regulatory structure for the different types of sites that NRC regulates; and (3) the regulatory roles and responsibilities of the various NRC Offices involved in decommissioning.

This Communication Plan is limited to the transfer of the remaining decommissioning reactors (two power reactors, two early demonstration reactors, and 14 RTRs).

KEY MESSAGES TO BE CONVEYED BY THE PLAN

1. The Commission directed the staff to evaluate if further consolidation of the various aspects of NRC's decommissioning program NMSS/DWMEP is practical and can result in benefits or gains in efficiency and effectiveness in NRC's decommissioning program or across the Agency.
2. Based on its evaluation, the staff plans to transfer the project management (PM) and oversight responsibility for two decommissioning power reactors, two decommissioning early demonstration reactors, and 14 decommissioning research and test reactors (RTRs) from the Office of Nuclear Reactor Regulation (NRR) to NMSS/DWMEP, on October 1, 2006. Staff provided the Commission with the results of its evaluation and followup actions in SECY-06-0106.
3. Oversight of operating power reactors and operating RTRs remains with NRR.
4. During the remainder of FY 2006, the staff will implement a transition plan for effectively transferring the current decommissioning RTRs. Activities include updating procedures, training staff (project managers, technical reviewers, and inspectors), and informing both external and internal stakeholders of the details, as described in this Communication Plan.
5. The transfer should benefit the licensees. The transfer would reduce the number of organizations responsible for decommissioning, thus improving the consistency of actions related to decommissioning. In addition, NMSS/DWMEP maintains most of the decommissioning expertise at NRC and manages the bulk of decommissioning sites that are subject to the License Termination Rule in 10 CFR Part 20, Subpart E. Consolidating the remaining NRR-managed decommissioning reactors in NMSS/DWMEP would allow these licensees to capitalize on decommissioning lessons learned and recent efficiencies and improvements in NRC's decommissioning program, which are based in NMSS/DWMEP. In addition, the inspections will be conducted by regional staff that also inspect complex material decommissioning sites.

6. A goal in the transition is that the transfer will be transparent to the licensees.
7. Stakeholders will be informed of the transfer as outlined in this plan.

AUDIENCE

External Stakeholders

Operating RTR licensees

Decommissioning RTR licensees

Remaining four NRR decommissioning power reactors that will be transferred

Internal Stakeholders

NRR decommissioning staff

NMSS/DWMEP decommissioning staff

Regions I, III, IV decommissioning staff

COMMUNICATION TOOLS

External Stakeholders

Meet and greet TRTR

Early conference call with TRTR

Announcement on NRC website

Presentation and handout at the annual TRTR meeting

Summary on NRC's Decommissioning web site

Summary in the NMSS Newsletter

Letter to each of the 18 decommissioning licensees summarizing transfer and providing new NRC contact information

Internal Stakeholders

Presentation at the Decommissioning Counterparts Meeting

Decommissioning staff meetings in both NRR and NMSS/DWMEP

Letter to ORISE summarizing transfer and contract changes

COMMUNICATION MILESTONES AND SCHEDULE

May

Presentation at Decommissioning Counterparts meeting (complete)

Meet and greet TRTR representatives (complete)

August

Email to NRR's email RTR list

Prepare introductory letter to each decommissioning RTR transferring to NMSS

Prepare announcement for NRC website

Prepare summary for Decommissioning Web site

Brief decommissioning staff in NRR, NMSS/DWMEP, Regions and provide summary handout

Conference call with TRTR

PM's to contact licensee point of contact

PM's to visit active sites or sites that will become active in FY07

Letter to ORISE

Prepare presentation for TRTR annual meeting

September

TRTR annual meeting

Research and Test Reactor (RTR) and 4 Power Reactor Transition Plan

As described in SECY-06-0106, the staff concluded that it plans to transfer the project management and oversight responsibility for two decommissioning power reactors, two decommissioning early demonstration reactors, and 14 decommissioning research and test reactors (RTR) from the Office of Nuclear Reactor Regulation (NRR) to the Office of Nuclear Material Safety and Safeguards (NMSS). The date of the transfer is October 1, 2006. Between now and September 30, 2006, NMSS and NRR staff will conduct activities to effect the transfer of 14 research and test reactors and 4 other reactors.

The transfer will occur in accordance with the following procedures:

- NMSS Policy and Procedures Letter 1-77, "Reactor Decommissioning Program Procedures for Interfacing with NRR"
- NRR Office Instruction COM-101, "NRR Interfaces with NMSS"

These documents are intended to apply to the transfer of commercial power plants and contain some information that is not applicable to the current transfer. For example, the documents contain "the roadmap" showing when a reactor transfers from NRR to NMSS. In the current case, the decision has already been made that the 14 decommissioning RTR's and 4 other decommissioning reactors would transfer on October 1, 2006. However, although some information in the documents may not be applicable, much within the documents does apply to the transfer of RTR's. For example, these instructions provide, among other things, a checklist of staff activities to be accomplished to transfer decommissioning nuclear power plants from NRR to NMSS. They also contain an example memorandum to be used by each site/reactor to formally document the transfer.

Two of the 14 reactors being transferred include two reactors (i.e., the General Atomic reactors) that still have fuel onsite. For these reactors, the staff must conduct security inspections and operator licensing. As discussed below, NRR will continue to conduct operator licensing activities for these reactors and the security inspections will be conducted by Regional staff with assistance from NRR and NSIR as necessary. NMSS will be the point of contact for licensing and the Regions will be the point of contact for inspections and both NMSS and the Regions will request assistance as necessary via a Technical Assistance Request (TAR).

John Hickman is the overall NMSS lead in assuring that the items discussed in this plan are accomplished in time to transfer the RTR's and 4 power reactors to NMSS by October 1, 2006. Andrew Persinko will have the responsibility to determine if NMSS/Regions have completed the required actions prior to the transfer.

In addition to activities described in the above documents, other transfer activities include:

1. Communication Plan

- A. NMSS Decommissioning Directorate (DCD) staff will develop a final communication plan to communicate details of the RTR and Power Reactor transfer from NRR to NMSS to internal and external stakeholders. **(Complete)**

- Plan includes:

- a) participating on a Test, Research and Training Reactor (TRTR) monthly conference call **(7/31 - Persinko/Hickman)**;

- b) making a presentation at the annual TRTR meeting in September **(9/30 - Hickman)**;
 - c) posting a NRC news item on the NRC website describing the transfer **(8/31 - Hickman)** and
 - d) update the decommissioning website information **(10/31 - DCD PM's)**.
- B. Meet and greet the TRTR on May 31. **(Complete)**

2. Training

- A. DCD staff will attend RTR training provided by NRR on 5/15 - 5/19. **(Complete)**
- B. Training manuals from the RTR class will be made available as self-study manuals. Inspector training will be conducted as described in section 4E below. **(9/30 - Hickman)**

3. Project Management

- A. DCD staff will identify project managers (PM) for each RTR and Power Reactor. **(Complete)**
- B. NRR will identify its current project managers for each RTR and Power Reactor. **(Complete)**
- C. DCD PM's will contact NRR PM's to discuss site-specific decommissioning issues and schedules. **(9/30 - DCD PM's)**
- D. Although NRR will retain PM responsibility, DCD PM's will overlap PM activities with NRR PM's to effect a seamless transition on October 1, 2006. To this end, NRR PM's will contact DCD PM's to inform DCD PM's about any upcoming conference calls, site visits, inspections, and issues so that DCD PM's can participate. Further, DCD PM's will be on distribution for any documents issued by NRR regarding the RTR and Power Reactor decommissioning sites. **(NRR PM's)**
- E. Write an introductory template letter with site-specific information left blank (NMSS) and send (NRR) the completed introductory letters to licensees and conduct site visits, budget permitting, for currently active sites or sites that will become active in FY07. **(9/30 DCD and NRR PM's)**
- F. Review ongoing work that has been well underway and that has a near-term completion date past October 1, 2006, to determine what work should be completed by NRR via a TAR from NMSS. **(9/30 - Persinko et.al.)**

Thomas et.al.)

- G. The site summaries for the website are scheduled to be updated by 9/30 and thus will be updated by NRR PM's. **(9/30 - NRR PM's)**

4. Inspections

- A. Regions will identify contacts for transition information. **(Complete) (Contacts are: M Miller RI; J Cameron R III; B Spitzberg RIV)**
- B. NMSS/Regional staff will discuss decommissioning site specific inspection issues with NRR. NRR will provide the date of last inspection and ADAMS ML accession number for inspections reports, and identify any recent (within two years) escalated enforcement actions. **(NRR PM's - 7/30)**.
- C. NRR will inform NMSS PM's when future inspections already scheduled are confirmed. NMSS PM's and Regional inspectors will attend, budget and schedules permitting.
- D. Security inspections will be scheduled and performed at sites with fuel onsite (i.e., two General Atomic reactors) by the Regions with assistance from NRR and NSIR as needed (currently, NRR performs security inspections). **(> October 1, 2006 - Regions)**

- E. NRR will provide its RTR inspector qualification requirements. Regions will review, compare to current inspector qualifications, and determine the qualifications that are necessary to perform decommissioning inspections. Inspectors will complete any additional training that is needed. Regions will determine if assistance is needed from NRR in performing inspections, and if so, it will be done via a TAR.
 - a) assess training needs **(9/30 - Regions)**
 - b) schedule future inspections **(> October 2006)**
 - F. Complete a second turnover meeting with Regional inspectors and NRR inspectors. **(September) (M Miller RI; J Cameron R III; B Spitzberg RIV; NRR)**
5. Operator Licensing
- A. Operator licensing for those sites with fuel onsite will continue to be performed by NRR via a TAR from NMSS. **(No action)**
6. Administrative
- A. Contracts - DCD and NRR staff will review ORISE work and decide what work will ORISE continue to perform. **(8/31 - Persinko/Thomas)**
 - B. DCD staff will:
 - a) change internal distribution (i.e., RIDs);
 - b) transfer the RTR service list for each RTR **(9/30 - Licensing Assistant (LA));**
 - c) identify Planned Accomplishments Activity numbers for NMSS and create new TAC's to become effective on October 1, 2006. **(9/30 - LA/D. Orlando);**
 - d) transfer licensing boilerplates **(9/30 - LA);**
 - e) identify any new measures for operation plan **(9/30 - Orlando)**
 - C. Develop an RTR-specific P&PL, or revise the documents listed below as necessary to reflect the current transfer as well as future RTR transfers. This will be done in parallel with other transition activities, but won't be completed until after the transition occurs. **(> September) (Hickman/NRR PM/D. Orlando)**
 - NMSS Policy and Procedures Letter 1-77, "Reactor Decommissioning Program Procedures for Interfacing with NRR"
 - NRR Office Instruction COM-101, "NRR Interfaces with NMSS"
 - NRC Inspection Manual Chapter 2545, Decommissioning Power Reactor Inspection Program.
7. Overall Approach to Assistance
- A. On October 1, 2006, NMSS will assume the lead for project management and oversight for the 14 RTR's and the 4 other reactors. Any assistance from other NRC organizations will be accomplished as necessary via a TAR (e.g., potentially inspection assistance and reactor operator licensing which is currently performed by NRR). For planning purposes, a list of projected technical assistance requests in FY07 should be developed before September 30, 2006. **(9/30 - Regions/Persinko/Thomas - Hickman to consolidate)**