



NRC NEWS

U.S. NUCLEAR REGULATORY COMMISSION

Office of Public Affairs

Telephone: 301/415-8200

Washington, D.C. 20555-0001

E-mail: opa.resource@nrc.gov

Site: <http://www.nrc.gov>

No. 10-213

November 30, 2010

NRC APPROVES NEW ENVIRONMENTAL PROTECTION REQUIREMENTS FOR LICENSEES TO AVOID FUTURE LEGACY SITES

The Nuclear Regulatory Commission has approved a final rule designed to prevent future “legacy sites” with insufficient funds for decommissioning by requiring licensees to minimize the introduction of residual radioactivity at their sites during operations.

A legacy site is a facility with an owner who cannot complete decommissioning work for technical or financial reasons. The rule will require licensees to keep survey records of residual radioactivity, including in the subsurface soil and groundwater, with records important for decommissioning. It will also require certain licensees to report additional details in their decommissioning cost estimates and amend some financial assurance mechanisms for decommissioning planning.

Facilities that process large quantities of material, especially in liquid form, have the potential for significant environmental contamination due to the scale of their operations. Leaks from these facilities can lead to significant radioactive contamination of the subsurface soil and groundwater, even though the radiation doses from these releases are well below annual regulatory limits for public and occupational exposure.

In addition, the high costs of disposing radioactive material offsite may lead licensees to store more waste onsite, increasing the potential for subsurface radioactive contamination and significantly higher decommissioning costs.

Licensees are currently required to perform surveys to verify that radioactive effluent releases are below regulatory requirements and do not pose public health hazards. However, the NRC believes that existing regulations are not clear enough concerning subsurface contamination and require interpretation to apply to long-term environmental conditions. Surveys have rarely been performed to assess the radiological hazard of chronic releases and subsurface contamination because these are not considered effluent releases and they do not cause immediate exposure either to workers or the public approaching regulatory limits.

The final rule will also require more detailed reporting by licensees and will tighten NRC control over certain financial instruments set aside to cover eventual decommissioning costs.

The new regulations will take effect 18 months following publication in the *Federal Register*. The rule must be reviewed by the Office of Management and Budget before publication.

A proposed rule detailing these new requirements was published in the *Federal Register* on Jan. 22, 2008. The agency received 35 comment letters on the proposed rule from states, licensees, industry organizations, environmental advocacy groups, and a member of the public. The public comments prompted several changes in the final rule, which are detailed in the forthcoming *Federal Register* notice.

The final rule, as sent by the agency staff to the Commission for approval, is available on the NRC website at <http://www.nrc.gov/reading-rm/doc-collections/commission/secys/2009/secy2009-0042/2009-0042scy.html>. The Commission's Staff Requirements Memorandum, issued Nov. 30 and directing some changes before publication, will be posted at <http://www.nrc.gov/reading-rm/doc-collections/commission/srm/2009/> under SECY-09-0042.

###

NOTE: Anyone wishing to take photos or use a camera to record any portion of a NRC meeting should contact the Office of Public Affairs beforehand.

News releases are available through a free *listserv* subscription at the following Web address: <http://www.nrc.gov/public-involve/listserver.html>. The NRC homepage at www.nrc.gov also offers a SUBSCRIBE link. E-mail notifications are sent to subscribers when news releases are posted to NRC's Web site.