



**U.S.NRC**

UNITED STATES NUCLEAR REGULATORY COMMISSION

*Protecting People and the Environment*

**SHOULD THE U.S.  
NUCLEAR REGULATORY  
COMMISSION REQUIRE  
PROMPT REMEDIATION?**

# BACKGROUND (1/2)

- **STAFF DEVELOPED THE  
DECOMMISSIONING PLANNING  
RULE TO REDUCE LIKELIHOOD OF  
LEGACY SITES**
  - **PROPOSED RULE FOR COMMENT  
JAN 22, 2008**
  - **FINAL RULE JUNE 17, 2011**



## BACKGROUND (2/2)

- STAFF IS ALSO TO “MAKE FURTHER IMPROVEMENTS TO DECOMMISSIONING PLANNING” BY
  - ADDRESSING REMEDIATION DURING THE OPERATIONAL PHASE
  - ENGAGE STAKEHOLDERS

# STAFF ACTION

- PUBLISHED FRN

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- DEVELOPED DRAFT PROPOSED  
TECHNICAL BASIS

- ENGAGE STAKEHOLDERS FOR INPUT



# CONCEPTUAL APPROACH - 1

- PROMPTLY REMEDIATE CONTAMINATION IF
  - CONCENTRATIONS IN ON-SITE SOIL EXCEED NRC SCREENING VALUES **OR**
  - CONCENTRATIONS IN ON-SITE GROUND WATER EXCEED EPA MCLs
- LICENSEES MAY REQUEST DELAY

# CONCEPTUAL APPROACH - 2

➤ LICENSEES MAY PROPOSE DELAYED REMEDIATION, EVEN TO LICENSE TERMINATION, IF IT IS JUSTIFIED BY:

- |          |                |
|----------|----------------|
| • ALARA  | • COST-BENEFIT |
| • SAFETY | • OTHER        |
| • DOSE   |                |



# ALTERNATIVES CONSIDERED (1/3)

- RULEMAKING FOR PROMPT  
REMEDiation IF CALCULATED DOSE  
TO THE PUBLIC EXCEEDS 100  
MREM/YR.

# ALTERNATIVES CONSIDERED (2/3)

- ESTABLISH A POLICY TO ISSUE SITE-SPECIFIC LICENSE CONDITIONS IF:
  - CALCULATED DOSE EXCEEDS LIMITS
  - MEASURED CONCENTRATION EXCEEDS LIMITS
  - MIGRATION OR RE-CONCENTRATION MAY EXCEED LIMITS



# ALTERNATIVES CONSIDERED (3/3)

- ISSUE GUIDANCE THAT LICENSEES SHOULD CONDUCT COST-BENEFIT AND OTHER ANALYSES TO SUPPORT DEFERRING REMEDIATION DURING OPERATIONS

# GENERAL QUESTIONS AND COMMENTS



# SPECIFIC QUESTIONS (1/9)

1. SHOULD NRC CONDUCT NEW RULE MAKING ON PROMPT REMEDIATION?

WHY?

## **SPECIFIC QUESTIONS (2/9)**

2. IF PROMPT REMEDIATION IS REQUIRED, WHAT CRITERIA SHOULD TRIGGER LICENSEE ACTION?
  - i. CONCENTRATION – SCREENING VALUES, MCL’S, OTHER**
  - ii. DOSE – RESTRICTED OR UNRESTRICTED RELEASE LIMITS**



## SPECIFIC QUESTIONS (3/9)

3. SHOULD NRC ALLOW LICENSEES TO  
DELAY REMEDIATION?  
UNDER WHAT CONDITIONS?  
FOR HOW LONG?

# SPECIFIC QUESTIONS (4/9)

4. CAN SAFETY, IMPACT ON OPERATIONS, OR COST JUSTIFY DELAYING REMEDIATION?

WHY?



# SPECIFIC QUESTIONS (5/9)

## 5. IF LICENSEES MAY DELAY REMEDICATION, WHAT SHOULD ANALYSES ADDRESS?

- i. OPERATIONAL SAFETY
- ii. DOSE ASSESSMENT
- iii. COST BENEFIT
- iv. OTHER

## SPECIFIC QUESTIONS (6/9)

6. IF LICENSEES MAY DELAY  
REMEDiation, HOW IMPORTANT IS  
THE COST OF REMEDIATION “NOW”  
VS.

THE COST OF REMEDIATION AT  
LICENSE TERMINATION?



## SPECIFIC QUESTIONS (7/9)

7. IF LICENSEES MAY DELAY  
REMEDICATION, WHAT STANDARDS  
AND CRITERIA SHOULD THE  
LICENSEE USE?  
  
WHAT CONSTITUTES SUFFICIENT  
JUSTIFICATION?

## SPECIFIC QUESTIONS (8/9)

8. ARE THERE ANY OTHER  
**ALTERNATIVES TO RULEMAKING**  
TO ADDRESS PROMPT REMEDIATION  
THAT THE NRC SHOULD CONSIDER?



# SPECIFIC QUESTIONS (9/9)

9. ARE THERE ANY OTHER  
**ISSUES IN THE TECHNICAL BASIS  
FOR RULEMAKING TO ADDRESS  
PROMPT REMEDIATION THAT THE  
NRC SHOULD CONSIDER?**

## NEXT STEPS (1/2)

- COLLECT AND CONSIDER THE  
STAKEHOLDER COMMENTS
- REFINE PROPOSED DRAFT  
TECHNICAL BASIS USING  
STAKEHOLDER INPUT AS  
APPROPRIATE.



## NEXT STEPS (2/2)

- DEVELOP A PAPER TRANSMITTING THE PROPOSED DRAFT TECHNICAL BASIS AND A RECOMMENDED COURSE OF ACTION TO COMMISSION

# GENERAL QUESTIONS

1. OTHER ISSUES OR COMMENTS  
RELATED TO PROMPT REMEDIATION
  
2. COMMENTS ON USE OF WEBINAR
  - i. COULD YOU SEE PRESENTATION SLIDES?
  - ii. COULD YOU MAKE COMMENTS?
  - iii. IS THIS A USEFUL WAY FOR NRC TO  
INTERACT WITH STAKEHOLDERS?





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