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Ms. Patricia Holahan
Director, Division of Decommissioning, Uranium Recovery, and Waste Programs
Office of Nuclear Material Safety and Safeguards
U.S. Nuclear Regulatory Commission
Washington, DC, 20555-0001

Mr. Ted Smith
Chairman, Reactor Decommissioning Financial Assurance
Working Group
Office of Nuclear Materials Safety and Safeguards
U.S. Nuclear Regulatory Commission
Washington, D.C., 20555-0001

Re: Draft Reactor Decommissioning Financial Assurance
Working Group Final Report

The Decommissioning Plant Coalition (DPC)¹ is providing comments on the draft Reactor Decommissioning Financial Assurance Working Group Final Report. We appreciate the earnest efforts that the working group devoted to this draft report and it is a very professional work product. We offer these suggestions that would strengthen the report prior to its use in drafting Guidance for comment.

The DPC is not surprised when NRC concludes that its robust regulatory program is providing adequate assurance of the public health and safety and other associated goals. Our members are dedicated to ensuring that their activities provide for the protections enshrined in NRC regulations. In this draft, the working group found, "that the existing regulatory framework provide an adequate means for NRC to determine whether there is reasonable assurance of sufficient funding for reactor decommissioning, for all known types of current reactor fleet decommissioning plans and business models."

The DPC is generally concerned whenever changes to guidance are proposed in situations when the regulations are found to be adequate. While we are always open

¹ The Decommissioning Plant Coalition (DPC) was established in 2001 to ensure a coordinated focus on legislative and regulatory issues unique to what was then a relatively small number of decommissioning plants. Permanently shutdown plants represented by the DPC have included: Connecticut Yankee (CT), Crystal River (FL), Duane Arnold (IA), Humboldt Bay (CA), Kewaunee (WI), LaCrosse (WI), Maine Yankee (ME), Pilgrim (MA), Rancho Seco (CA), San Onofre (CA), Vermont Yankee (VT), Yankee Rowe (MA), Big Rock (MI), and Zion (IL).

to changes that do enhance efficiency and effectiveness, we believe that many of the recommendations proposed by the working group can be strengthened to illuminate further their bases to ease future assessments of them.

1. The DPC suggests that the working group expand upon their recognition and characterization of the costs to licensees of making changes to accounting systems to accommodate its recommendation #1; "Having DFS reports consistently itemize expenses for decommissioning activities would improve the efficiency of NRC staff reviews of the reports, allow for better coordination between headquarters financial reviewers and regional staff regarding decommissioning financial assurance (see Item 4), and inform a potential financial assurance spot check program for reactors in decommissioning (see Item 5)." In the context of permanently shut down plants, these costs will be higher to those licensees than your assumptions may be, and would affect the evaluations commenters will make regarding the benefits yielded from the costs incurred. We will be glad to, on a prompt basis, assist in making this recommendation more accurate.
2. The DPC believes that you should provide additional characterization of what the working group regards as "significant" in the context of recommendation 7, "changes that significantly increase the decommissioning cost, which triggers a required update to the facilities PSDAR." Without such addition to the recommendation, commenters will agree or disagree with whatever concept they view as significant, rather than on what the working group or the NRC staff conceives of as significant. (Recommendation #7).

The working group should also be specific on what elements of its recommendations are closely related to proposed changes to guidance documents that were provided to the Commission as part of the decommissioning rulemaking.

The DPC will be commenting on any draft changes to the NRC regulatory program resulting from this report. We are also coordinating with the Nuclear Energy Institute and understand that its Decommissioning Working Group will also be reviewing, and will likely comment, on any such changes. The DPC looks forward to continued interactions with the staff and will continue to coordinate with the NEI and the working group on this matter.

Sincerely,



for Wayne Norton
Executive Spokesperson
Decommissioning Plant Coalition

cc: Bruce Watson