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June 13, 1985

Secretary of the Commission
U.S. Nuclear Regulatory Commission
Washington, DC 20555

Attention: Docketing and Service Branch

Gentlemen:

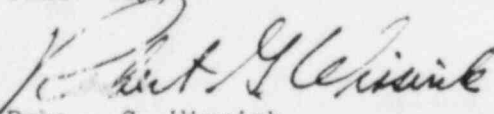
The following comments are submitted in response to the proposed rule on Decommissioning Criteria for Nuclear Facilities as published in the Federal Register, Volume 50, No. 28, Monday, February 11, 1985. In particular the comments address Section D., Financial Assurance.

In the proposed rule three methods of financial assurance are suggested for Part 30 and Part 40 licensees; (1) prepayment, (2) surety method or insurance, and (3) an external sinking fund coupled with a surety method. We believe that for Part 30 and Part 40 licensees a fourth method, based on a financial test, would also be appropriate. This test could be similar to the one used by the Environmental Protection Agency (EPA) for financial assurance for closure and post-closure care as specified in Subpart H of 40 CFR Parts 264 and 265.

The financial test specified in the EPA regulations relates the estimated cost of closure and post-closure care to various assets or financial ratings of the facility owner or operator. Included in the test are such things as the tangible net worth of the organization, the amount of assets in the United States, the ratings of the most recent bond issuance, net working capital, and ratio of assets to liabilities. Two alternatives are offered in the regulations to satisfy the financial assurance requirements. (Refer to Federal Register Volume 47, No. 67, Wednesday, April 7, 1982, page 15034).

It appears that the financial test promulgated by the EPA for closure and post-closure care could be applied by the NRC for decommissioning of Part 30 and Part 40 licensees. 3M recommends its addition to the proposed rule.

Sincerely,



Robert G. Wissink
Chairman, Isotope Committee

RGW:lmo

DOCKET NUMBER
PROPOSED RULE **PR-30,40,50 et al**
(50 FR 5600) (124)

3M

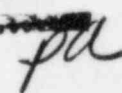
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