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COMMISSIONER

UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D.C. 20555

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January 29, 1997

MEMORANDUM TO: Chairman Jackson  
Commissioner Rogers  
Commissioner Dicus  
Commissioner Diaz

FROM: Edward McGaffigan, Jr. *E. McGaffigan, Jr.*  
Commissioner

SUBJECT: COMSECY-96-068 - DSI-24 - POWER REACTOR DECOMMISSIONING

I support Option 2 on power reactor decommissioning. In an environment with economic deregulation of electric utilities accelerating and with utilities facing life extension decisions on existing facilities, it is important that the necessary regulatory requirements significantly affecting costs and schedules be established and finalized as soon as possible.

I agree with Commissioner Rogers that the staff should consider the option of combining several rulemakings (other than the rulemaking on clean-up standards which will soon be before the Commission) into a single, integrated rulemaking, if that will speed the rulemaking process.

I further agree with Commissioner Rogers on the issues of entombment as a decommissioning option and the need to address site specific decommissioning funding level estimates as well as onsite dry storage of greater-than-Class-C waste (an issue I also dealt with in my response to DSI-5).

Finally, I am concerned about the compatibility of an accelerated rulemaking pace with the use of new and innovative regulatory approaches, as called for in the preliminary views. The staff should not be overburdened with requirements to adopt novel rulemaking techniques and approaches at the same time the Commission is asking them to proceed rapidly to resolution of rulemakings. I agree with Commissioner Rogers that the Agreement State option should only be pursued if it were deemed beneficial by both the licensee and the Agreement State, a remote possibility based on comments received. If introducing this option slows the rulemakings, I am not sure it is worth pursuing. I would not support use of resident site inspectors at all phases of decommissionings, and would have to be convinced of the value of resident inspectors at any specific phase given overall constraints on agency resources. Finally, I would support a risk-informed performance-oriented approach to these rulemakings to the extent the staff is ready to proceed with such an approach now. As in other areas, we should not allow striving for perfection in our rulemaking to prevent or delay the achievement of significant improvements in our regulations.

cc: EDO  
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CORRESPONDENCE PDR



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