



**ANS** Meetings

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*Creating Momentum Toward  
Transformational Change*

# Regulatory Perspectives and Updates on Commercial Decommissioning Processes

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# Topics

- GTCC, TRU, and Part 61 Rulemakings Next Steps
- Alternative Disposal Requests Guidance
- Proposed interpretation of “Authorized Recipient” under 10 CFR 20.2001
- Decommissioning Program Updates
- NEIMA Section 108 Report on Community Advisory Board Best Practices
- Reactor Decommissioning Financial Assurance Working Group

# GTCC, TRU, and 10 CFR Part 61 Rulemakings Next Steps

- The NRC's generic analyses supporting the Draft Regulatory Basis found the majority of GTCC and TRU waste potentially suitable for near-surface disposal and most of potentially suitable waste could be regulated by an Agreement State. However, site-specific analyses would be used to determine the acceptability of any of the waste streams for near-surface disposal.
- Based on comments received on the Draft Regulatory Basis, staff is considering options for proceeding with a GTCC/TRU rulemaking
- Staff is also considering planned path forward for the Part 61 rulemaking
- As part of that, consideration will be given to potentially combining GTCC and the Part 61 rulemaking for efficiency

# Alternative Disposal Requests Guidance

- Each Alternative Disposal Request contains two approvals for offsite disposals
  - Generator of waste requests approval of alternate disposal procedures
    - NRC receives 10 CFR 20.2002 request from its licensee
  - Recipient of waste receives approval to receive and dispose
    - Agreement State, if applicable, approves disposal in a non-licensed facility
- An updated revision to guidance for Alternative Disposal Requests addresses both approvals
- Guidance was issued in March 2020 (ML19295F109)



# Proposed interpretation of “Authorized Recipient”

- Proposed interpretation of “authorized recipient” under 10 CFR 20.2001(a)(1)
  - Interpretation expands “authorized recipient” to entities specifically exempted, in addition to the current interpretation of licensed persons or facilities
  - Licensees could transfer licensed material to a non-10 CFR Part 61 disposal facility that holds an appropriate authorization
- NRC solicited public comments on proposed interpretation
  - NRC performed initial outreach to Agreement States
  - *Federal Register* notice was issued on March 6 (85 FR 13076) and the public comment period has been extended to October 21, 2020
  - Two public meetings held via webinar in March and July 2020

# Decommissioning Rulemaking

- Proposed rule submitted to Commission May 7, 2018 (SECY-18-0055)
  - Goals: provide for an efficient decommissioning process; reduce the need for exemptions from existing regulations; and support the principles of good regulation, including openness, clarity, and reliability
  - Fourteen technical topical areas
  - Four draft guidance documents
- Next steps:
  - Upon Commission vote, staff will publish proposed rule for 75-day public comment period
  - Public meeting during comment period
  - Public meeting to discuss implementation of rule prior to delivering the draft final rule to the Commission
  - Submit the draft final rule to the Commission

# Diverse Decommissioning World

- 24 Power Reactors
  - 13 in DECON (active decommissioning); 11 in SAFSTOR
- 4 Research and Test Reactors
- 10 Complex Materials Facilities
- 5 UMTRCA Title II uranium recovery facilities
- Radium sites
  - 5 non-military sites; 17 Department of Defense sites; 2 National Park Service sites
- DOE Naval Reactors decommissioning oversight/inspection of the Surface Ship Support Barge

# NEIMA Section 108 Report

- Report to Congress on Best Practices for Community Advisory Boards signed by the Chairman on July 1, 2020 (ML20113E857)
- Identified best practices for CAB formation include:
  - Early formation;
  - Development of a charter or guiding document;
  - Consideration of local preferences for engagement with public meetings
  - Diversity in CAB membership;
  - CAB meeting frequency and topics for discussion based on the site status, ongoing activities, and level of stakeholder interest;
  - Specifically assigned funding sources to support operations and activities;
  - Access to technical experts or specific training for CAB members.

# Reactor Decommissioning Financial Assurance

- Reactor Decommissioning Financial Assurance Working Group (WG) formed in September 2019 to:
  - Review and document current processes
  - Identify potential regulatory gaps/policy issues
  - Identify program enhancements
  - Develop recommendations for any identified gaps/enhancements
- Public meetings were held via webinar in February and April to solicit comments
- The WG's Final Report was issued in May 2020 (ML20120A550)

# Reactor Decommissioning Financial Assurance

- No regulatory gaps or policy issues were identified.
- The report recommended the following changes:
  - Clarify Oversight of DTF Expenditures as Part of Reviews of Annual Decommissioning Funding Status Reports
  - Develop 30-Day Notification Guidance
  - Revise Inspection Procedures
  - Develop Spot Check Program
  - Conduct Training Workshops
  - Timing of comparison between DTF formula and SSCE
  - Provide Irradiated Nuclear Fuel Funding Guidance for use of Provisional Trust Funds



# Continuous Process Improvements

- Guidance improvements to further risk-inform
  - NUREG-1757, Vol. 2 revision to be published by the end of 2020
  - NUREG-1507 to be published by the end of 2020
  - NUREG-1757, Vol. 1 revision to be published in early 2021
- Adapting to COVID-19 Public Health Emergency
  - Streamlining processes for materials licensees to submit and for staff to promptly review requests for necessary relief
  - Increased outreach and communication with internal and external stakeholders
  - Virtual public meetings

# Humboldt Bay





# Zion Units 1 & 2



# La Crosse





# Questions?

