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Storage & Transportation Licensing Considerations

Views of the Decommissioning Plant Coalition
(DPC)

May 20, 2025



The DPC

The DPC was established in 2001 out of the recognition that the overwhelming attention of the regulator, the industry, and policy makers would be focused on the operating fleet and provides a forum for the identification of federal policy and regulatory issues of unique or special concern to decommissioning civilian nuclear facilities. Since its inception, plants that have been represented in the work of the DPC include charter members Dairyland (WI), Connecticut Yankee (CT), Rancho Seco (CA), Maine Yankee (ME), Yankee Rowe, MA), Humboldt Bay (CA), and joined by Big Rock(MI), Crystal River(FL), San Onofre (CA), Vermont Yankee (VT), Zion (IL), Kewaunee (WI), and Ft. Calhoun (NE). Other Entergy, Exelon, and PG&E plants have participated via their specific sites' memberships. Our primary goal remains to hasten the day when the spent fuel stored on-site will be successfully removed and no longer our companies' liability. The importance of that goal cannot be overstated. Several of our companies are simply awaiting the fulfillment of that goal to go out of business. Others find that spent fuel and GTCC storage consume up to 20% of corporate attention and resources, a disparate amount considering that these facilities no longer produce revenue. While the fuel remains on-site, we are also committed to engaging in activities that directly affect these sites.



DPC Efforts re Advance Act

- Thank you for the opportunity to participate.
- We have made suggestions on December 9, Feb 26, and April 9.
- We eagerly anticipate Commission action on two simple and eminently logical suggestions.
- Historically, neither radiological effluent reports from stand-alone ISFSIs or transuranic decay reporting for fuel in dry storage have an impact on regulatory performance or safety significance.
- We believe the Advance Act efforts should include a proactive approach toward eliminating these type of requirements to reduce unnecessary costs and burden.



The #1 Priority

- **We believe that for efficiency efforts to be effective the NRC must recognize and prioritize the extraordinary safety profile of stand alone ISFSIs and decommissioning sites where all spent fuel is stored in dry cask.**
- The NRC should acknowledge and articulate this as the foundation for Advance Act efforts in this business line.



#2 Priority

- **There must be recognition and expectation that the NRC will identify and eliminate unnecessary, or reduce overly burdensome, regulations and requirements that result in inspection findings of no tangible safety significance.**
- The NRC should be ready to engage in Direct Final Rulemaking to implement reductions for unnecessary regulatory provisions.
- Months ago, we suggested such an example- the annual effluent report requirement for stand-alone ISFSIs serves no value-added purpose, as there are no radioactive effluents in the passive storage state.
- We just completed the latest cycle of submitting these reports. They continue to have no safety significance.



Priority # 2 (continued)

- The dollar costs of the activity and the benefit of elimination is simple arithmetic calculation that will take time and resources to compile.
- ROI measures net profit or loss (which can be the arithmetic calculation above) over the initial investment, or in our space, the safety benefit. There is no safety benefit for this activity. In this case it's an undefined result, a null set.
- This indicates that something is wrong with the requirement.
- Your ROI discussions and Advance Act efforts must include a commitment to identify, delete, or revise regulatory provisions in such circumstances.



Priority # 3

- **There must be a method endorsed by regulation that enables licensees to make changes without prior NRC approval.**
- The recent IEP episode and the “Casknado” episode of almost two years ago are strong evidence that 72.48 as currently written and interpreted is not highly compatible for ISFSI operations or aligned with Advance Act objectives.



Comments on Specific M-LEAP Areas

- We are pleased to hear that ROI factors will be compiled and evaluated within your business lines. We suggest it not be the primary factor in your considerations.
- We applaud the compilation of engagement activities with licensees. Many of these are already on-going as most of our members have learned the value of these exchanges.
- We also appreciate the compilation of internal efficiencies in licensing, some of which we've seen in the past and suggest that internal measures be employed to ensure continued emphasis within the agency.



View

- The DPC applauds the professional effort in the development of M-LEAP.
- We believe that M-LEAP and your Advance Act efforts must address the three priorities we presented.
- We look forward to learning how our suggestions are incorporated into your Advance Act efforts.
- We reserve judgement on the prospective efficacy of M-LEAP as a primary tool for implementing the Advance Act pending resolution of comments you are receiving.
- We will be glad to work with you to make needed improvements.