



NRC NEWS

U.S. NUCLEAR REGULATORY COMMISSION

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NRC PROPOSES CHANGES TO REGULATIONS ON DECOMMISSIONING FUNDING

The Nuclear Regulatory Commission is proposing to amend its regulations to require certain licensees using substantial quantities of nuclear materials to increase funding for decommissioning costs after their facility shuts down permanently. The changes would bring the amount of money that would be available more in line with current decommissioning costs and provide adequate assurance that timely decommissioning can be carried out following shutdown of a licensed facility.

The changes would affect materials licensees, but not nuclear power plants, which are covered by separate regulations.

The NRC estimates that this additional financial assurance for decommissioning would cost all affected licensees approximately \$1.2 million per year, and would provide approximately \$80 million in total additional funds for decommissioning.

The amount of financial assurance that nuclear materials licensees must provide can be based on either a facility-specific decommissioning cost estimate provided by the licensee in a decommissioning funding plan or on dollar amounts specified in the regulations. The current amounts specified in the regulations are based on decommissioning cost estimates that are about 15 years old. Studies done for the NRC show that decommissioning costs have increased substantially. The agency is therefore proposing to raise all specified amounts by 50 percent.

Other changes in the proposed rule include:

- All nuclear waste broker licensees would have to provide financial assurance. (There is no established definition of a waste broker, but it generally refers to any licensee that engages in waste collection and consolidation; waste storage; waste processing, repackaging or other treatment; or transfer to another waste broker or to a licensed low-level radioactive waste disposal facility.) Currently, only about half of the 15 NRC waste broker licensees are required to have financial assurance.

- Large irradiator licensees (who primarily use nuclear materials for the sterilization of medical equipment and food products) and nuclear waste brokers would not be allowed

to use the specific amounts in the regulations as a basis for financial assurance for decommissioning, and would have to base their funding on site-specific decommissioning cost estimates.

-- Decommissioning cost estimates would have to be updated at least every three years.

Under the current rules, with no change in the proposed rule, the financial assurance may be provided by prepayment; a surety (in the form of a bond, letter of credit or line of credit), insurance or other guarantee method (such as a parent company guarantee if that company meets certain financial tests); an external sinking fund in which deposits are made at least annually, coupled with a surety method or insurance; or, for federal, state or local government licensees, a statement of intent indicating that funds will be obtained when necessary.

Interested persons are invited to submit comments on the proposed rule within 75 days of a Federal Register notice on this subject, expected shortly. They should be submitted to the Secretary, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555-0001, Attention: Rulemakings and Adjudications Staff. They may also be submitted electronically via the NRC's interactive rulemaking website at <http://ruleforum.llnl.gov> .

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