



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

(FSME-11-059, June, Program, Chronology of NRC Amendments, RATS ID 2011-1)

June 28, 2011

ALL AGREEMENT STATES, MICHIGAN

REVISION OF THE CHRONOLOGY OF NUCLEAR REGULATORY COMMISSION (NRC) AMENDMENTS INCLUDING THE SUMMARY OF CHANGE DOCUMENT FOR DECOMMISSIONING PLANNING, PARTS 20, 30, 40, and 70. [RATS ID 2011-1] (FSME-11-059)

Purpose: To provide the Agreement States with the Chronology of the U.S. Nuclear Regulatory Commission (NRC) Amendments including the addition, RATS ID 2011-1, Decommissioning Planning, Parts 20, 30, 40, and 70 (effective date December 17, 2012) and the Summary of Change Document.

Background: NRC is amending its regulations to improve decommissioning planning and thereby reduce the likelihood that any current operating facility will become a legacy site (a site requiring government cleanup funds). The amended regulations require licensees to conduct their operations to minimize the introduction of residual radioactivity into the site, which includes the site's subsurface soil and groundwater. Licensees also may be required to perform site surveys to determine whether residual radioactivity is present in subsurface areas and to keep records of these surveys with records important for decommissioning. The amended regulations require licensees to report additional details in their decommissioning cost estimate, eliminate the escrow account and line of credit as approved financial assurance mechanisms, and modify other financial assurance requirements.

Discussion: The final rules are posted in the *Federal Register*, 76 FR 35512 with an effective date of December 17, 2012, and can be accessed through this website: <http://www.gpoaccess.gov/fr/index.html>. The chronology is enclosed in its entirety and includes RATS ID: 2011-1, as maintained by the Office of Federal and State Materials and Environmental Management Programs. The chronology is for your use to plan rulemaking actions that are needed to satisfy the compatibility and health and safety category designations of the NRC regulations. This document will also be used by the Integrated Materials Performance Evaluation Program teams during upcoming program reviews. In addition, a summary of change for the June 17, 2011 amendments has been enclosed with this letter. These summaries are for your use to identify the changes to the CFR text as well as the compatibility categories associated with the changes. These regulations are due for adoption by the Agreement States no later than December 17, 2015.

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Enclosures:

1. Chronology of NRC Amendments
2. Summary of Change Document

Chronology of NRC Amendments

NRC Chronology Identification	FR Notice Number (State Implementation Due Date)	RATS ID
Safety Requirements for Radiographic Equipment-Part 34	55 FR 843; (1/10/94)	1991-1
ASNT Certification of Radiographers-Part 34	56 FR 11504; (none)	1991-2
Standards for Protection Against Radiation-Part 20	56 FR 23360; 56 FR 61352; 57 FR 38588; 57 FR 57877; 58 FR 67657; 59 FR 41641; 60 FR 20183; (1/1/94)	1991-3
Notification of Incidents-Parts 20, 30, 31, 34, 39, 40, 70	56 FR 64980; (10/15/94)	1991-4
Quality Management Program and Misadministrations-Part 35	56 FR 34104; (1/27/95)	1992-1
Eliminating the Recordkeeping Requirements for Departures from Manufacturer's Instructions-Parts 30,35	57 FR 45566; (none)	1992-2
Decommissioning Recordkeeping and License Termination: Documentation Additions [Restricted areas and spill sites]-Parts 30, 40	58 FR 39628; (1 0/25/96)	1993-1
Licensing and Radiation Safety Requirements for Irradiators-Part 36	58 FR 7715; (7/1/96)	1993-2
Definition of Land Disposal and Waste Site QA Program-Part 61	58 FR 33886; (7/22/96)	1993-3
Self-Guarantee as an Additional Financial Mechanism-Parts 30, 40, 70	58 FR 68726; 59 FR 1618; (none)	1994-1
Uranium Mill Tailings Regulations: Conforming NRC Requirements to EPA Standards - Part 40	59 FR 28220; (7/1/97)	1994-2
Timeliness in Decommissioning Material Facilities-Parts 30, 40, 70	59 FR 36026; (8/15/97)	1994-3
Preparation, Transfer for Commercial Distribution, and Use of Byproduct Material for Medical Use- Parts 30, 32, 35	59 FR 61767; 59 FR 65243; 60 FR 322; (1/1/98)	1995-1
Frequency of Medical Examinations for Use of Respiratory Protection Equipment- Part 20	60 FR 7900; (3/13/98)	1995-2
Low-Level Waste Shipment Manifest Information and Reporting-Parts 20, 61	60 FR 15649; 60 FR 25983; (3/1/98)	1995-3

NRC Chronology Identification	FR Notice Number (State Implementation Due Date)	RATS ID
Performance Requirements for Radiography Equipment-Part 34	60 FR 28323; (6/30/98)	1995-4
Radiation Protection Requirements: Amended Definitions and Criteria-Parts 19, 20	60 FR 36038; (8/14/98)	1995-5
Clarification of Decommissioning Funding Requirements-Parts 30, 40, 70	60 FR 38235; (11/24/98)	1995-6
Medical Administration of Radiation and Radioactive Materials-Parts 20, 35	60 FR 48623; (10/20/98)	1995-7
10 CFR Part 71: Compatibility with the International Atomic Energy Agency-Part 71	60 FR 50248; 61 FR 28724; (4/1/99)	1996-1
One Time Extension of Certain Byproduct, Source and Special Nuclear Materials Licenses-Parts 30, 40, 70	61 FR 1109; (none)	1996-2
Termination or Transfer of Licensed Activities: Recordkeeping Requirements-Parts 20, 30, 40, 61, 70	61 FR 24669; (6/17/99)	1996-3
Resolution of Dual Regulation of Airborne Effluents of Radioactive Materials; Clean Air Act-Part 20	61 FR 65120; (1/9/00)	1997-1
Recognition of Agreement State Licenses in Areas Under Exclusive Federal Jurisdiction Within an Agreement State-Part 150	62 FR 1662; (2/27/00)	1997-2
Criteria for the Release of Individuals Administered Radioactive Material-Parts 20, 35	62 FR 4120; (5/29/00)	1997-3
Fissile Material Shipments and Exemptions-Part 71	62 FR 5907; (none)	1997-4
Licenses for Industrial Radiography and Radiation Safety Requirements for Industrial Radiography Operations-Parts 30, 34, 71, 150	62 FR 28947; (6/27/00)	1997-5
Radiological Criteria for License Termination-Parts 20, 30, 40, 70	62 FR 39057; (8/20/00)	1997-6
Exempt Distribution of a Radioactive Drug Containing One Microcurie of Carbon-14 Urea-Part 30	62 FR 63634; (1/02/01)	1997-7
Deliberate Misconduct by Unlicensed Persons-Parts 30, 40, 61, 70, 71, 150	63 FR 1890; 63 FR 13773; (2/12/01)	1998-1
Self-Guarantee of Decommissioning Funding by Nonprofit and Non-Bond-Issuing Licensees-Parts 30, 40, 70	63 FR 29535; (none)	1998-2
License Term for Medical Use Licenses-Part 35	63 FR 31604; (none)	1998-3
Licenses for Industrial Radiography and Radiation Safety Requirements for Industrial Radiographic	63 FR 37059; (7/9/01)	1998-4

NRC Chronology Identification	FR Notice Number (State Implementation Due Date)	RATS ID
Operations-Part 34		
Minor Corrections, Clarifying Changes, and a Minor Policy Change-Parts 20, 32, 35, 36 and 39	63 FR 39477; 63 FR 45393; (10/26/01)	1998-5
Transfer for Disposal and Manifests: Minor Technical Conforming Amendment-Part 20	63 FR 50127; (11/20/01)	1998-6
Radiological Criteria for License Termination of Uranium Recovery Facilities-Part 40	64 FR 17506; (6/11/02)	1999-1
Requirements for Those Who Possess Certain Industrial Devices Containing Byproduct Material to Provide Requested Information-Part 31	64 FR 42269; (none)	1999-2
Respiratory Protection and Controls to Restrict Internal Exposure-Part 20	64 FR 54543; 64 FR 55524; (2/2/03)	1999-3
Energy Compensation Sources for Well Logging and Other Regulatory Clarifications-Part 39	65 FR 20337; (5/17/03)	2000-1
New Dosimetry Technology-Parts 34, 36, 39	65 FR 63750; (1/8/04)	2000-2
Requirements for Certain Generally Licensed Industrial Devices Containing Byproduct Material - Parts 30, 31, 32	65 FR 79162; (2/16/04)	2001-1
Revision of the Skin Dose Limit-Part 20	67 FR 16298; (4/5/05)	2002-1
Medical Use of Byproduct Material-Parts 20, 32, and 35	67 FR 20249; (10/24/05)	2002-2
Financial Assurance for Materials Licensees - Parts 30, 40, 70	68 FR 57327; (12/3/06)	2003-1
Compatibility With IAEA Transportation Safety Standards and Other Transportation Safety Amendments - Part 71.	69 FR 3697; (10/01/07)	2004-1
Security Requirements for Portable Gauges Containing Byproduct Material - Part 30	70 FR 2001; (7/11/08)	2005-1
Medical Use of Byproduct Material - Recognition of Specialty Boards - Part 35	70 FR 16336; 71 FR 1926 (4/29/08)	2005-2
Increased Controls for Risk-Significant Radioactive Sources (NRC Order EA-05-090)	70 FR 72128 (1 2/01/2005)	2005-3
Minor Amendments -Parts 20, 30,32, 35, 40, 70	71 FR 15005 (03/27/09)	2006-1

NRC Chronology Identification	FR Notice Number (State Implementation Due Date)	RATS ID
National Source Tracking System - Serialization Requirements Part 32 (with reference to Part 20 Appendix E)	71 FR 65685 (02/06/07)	2006-2
National Source Tracking System Part 20	71 FR 65685 (01/31/09 Cat I and Cat II)	2006-3
Medical Use of Byproduct Material - Minor Corrections and Clarifications Parts 32 and 35	72 FR 45147, 54207 (10/29/10)	2007-1
Exemptions From Licensing, General Licenses, and Distribution of Byproduct Material: Licensing and Reporting Requirements Parts 30, 31, 32, and 150	72 FR 58473 (12/17/10)	2007-2
Requirements for Expanded Definition of Byproduct Material Parts - 20, 30, 31, 32, 33, 35, 61, and 150	72 FR 55864, 73 FR 42672 (11/30/10)	2007-3
Order Imposing Fingerprinting Requirements and Criminal History Records Check Requirements for Unescorted Access to Certain Radioactive Material (Order EA-07-305)	72 FR 70901 (06/05/08)	2007-4
Occupational Dose Records, Labeling Containers, and the Total Effective Dose Equivalent Parts – 19 and 20	72 FR 68043, 72233 (02/15/11)	2008-1
Medical Use of Byproduct Material—Authorized User Clarification, Part 35	74 FR 33901 (09/28/12)	2009-1
Decommissioning Planning, Parts 20, 30, 40, and 70	76 FR 35512 (12/17/2015)	2011-1

**Decommissioning Planning, Parts 20, 30, 40, and 70
(76 FR 35512) RATS ID # 2011-1 Effective date 12/17/2011
Date Due for State Adoption 12/17/2015**

Change to NRC Section	Title	State Section	Compatibility Category	Summary of Change to CFR	Difference Yes/No	Significant Yes/No	If Difference, Why or Why Not Was a Comment Generated
§20.1403(c)	Criteria for license termination under restricted conditions		C	<p>In § 20.1403, paragraph (c)(2) is removed, paragraph (c)(3) is redesignated as paragraph (c)(2), and paragraph (c)(4) is redesignated as paragraph (c)(3), and paragraph (c)(1) is revised to read as follows:</p> <p>(c) *** (1) Funds placed into a trust segregated from the licensee's assets and outside the licensee's administrative control, and in which the adequacy of the trust funds is to be assessed based on an assumed annual 1 percent real rate of return on investment;</p>			
§20.1404(a)	Alternate criteria for license termination		C	<p>In § 20.1404, paragraph (a)(5) is added to read as follows:</p> <p>(a) *** (5) Has provided sufficient financial assurance in the form of a trust fund to enable an independent third party, including a governmental custodian of a site, to assume and carry out responsibilities for any necessary control and maintenance</p>			

Change to NRC Section	Title	State Section	Compatibility Category	Summary of Change to CFR	Difference Yes/No	Significant Yes/No	If Difference, Why or Why Not Was a Comment Generated
§20.1406(c)	Minimization of contamination		C	<p>of the site.</p> <p>In § 20.1406, paragraph (c) is added to read as follows:</p> <p>(c) Licensees shall, to the extent practical, conduct operations to minimize the introduction of residual radioactivity into the site, including the subsurface, in accordance with the existing radiation protection requirements in Subpart B and radiological criteria for license termination in Subpart E of this part.</p>			
§20.1501(a)	General		H&S	<p>In § 20.1501, paragraphs (b) and (c) are redesignated as paragraphs (c) and(d), paragraphs (a) introductory text,(a)(2)(ii) and (a)(2)(iii) are revised, and a new paragraph (b) is added to read as follows:</p> <p>a) Each licensee shall make or cause to be made, surveys of areas, including the subsurface, that --</p> <p>(2) ***</p> <p>(ii) Concentrations or quantities of residual radioactivity; and</p> <p>(iii) The potential radiological hazards of the radiation levels and</p>			

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§20.1501(b)	General		H&S	<p>residual radioactivity detected.</p> <p>In § 20.1501, paragraphs (b) and (c) are redesignated as paragraphs (c) and(d), paragraphs (a) introductory text,(a)(2)(ii) and (a)(2)(iii) are revised, and a new paragraph (b) is added to read as follows::</p> <p>(b) Notwithstanding § 20.2103(a) of this part, records from surveys describing the location and amount of subsurface residual radioactivity identified at the site must be kept with records important for decommissioning, and such records must be retained in accordance with §§ 30.35(g), 40.36(f), 50.75(g), 70.25(g), or 72.30(d), as applicable.</p>			
§ 30.34(b)	Terms and conditions of licenses		C	<p>In § 30.34, paragraph (b) is redesignated as paragraph (b)(1) and a new paragraph (b)(2) is added to read as follows:</p> <p>(b) *** (2) An application for transfer of license must include: (i) The identity, technical and financial qualifications of the proposed transferee; and</p>			

Change to NRC Section	Title	State Section	Compatibility Category	Summary of Change to CFR	Difference Yes/No	Significant Yes/No	If Difference, Why or Why Not Was a Comment Generated
				(ii) Financial assurance for decommissioning information required by § 30.35.			
§30.35(c)(6)	Financial assurance and recordkeeping for decommissioning.		D	N/A			
§30.35(d)	Financial assurance and recordkeeping for decommissioning.		D (**please note 10 CFR 30.35(d) was changed from a Compatibility Category H&S to a Compatibility Category D)	No Change to the text of §30.35(d)	N/A		
§ 30.35(e)	Financial assurance and recordkeeping for decommissioning.		H&S (**please note 10 CFR 30.35(e) was changed from a Compatibility Category D to a Compatibility	In § 30.35, paragraphs (e), is revised: (e)(1) Each decommissioning funding plan must be submitted for review and approval and must contain – (i) A detailed cost estimate for decommissioning, in an amount reflecting:			

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			Category H&S)	<p>(A) The cost of an independent contractor to perform all decommissioning activities;</p> <p>(B) The cost of meeting the 10 CFR 20.1402 criteria for unrestricted use, provided that, if the applicant or licensee can demonstrate its ability to meet the provisions of 10 CFR 20.1403, the cost estimate may be based on meeting the 10 CFR 20.1403 criteria;</p> <p>(C) The volume of onsite subsurface material containing residual radioactivity that will require remediation to meet the criteria for license termination; and</p> <p>(D) An adequate contingency factor.</p> <p>(ii) Identification of and justification for using the key assumptions contained in the DCE;</p> <p>(iii) A description of the method of assuring funds for decommissioning from paragraph (f) of this section, including means for adjusting cost estimates and associated funding levels periodically over the life of the facility;</p> <p>(iv) A certification by the licensee that financial assurance for decommissioning has been</p>			

Change to NRC Section	Title	State Section	Compatibility Category	Summary of Change to CFR	Difference Yes/No	Significant Yes/No	If Difference, Why or Why Not Was a Comment Generated
				<p>provided in the amount of the cost estimate for decommissioning; and (v) A signed original of the financial instrument obtained to satisfy the requirements of paragraph (f) of this section (unless a previously submitted and accepted financial instrument continues to cover the cost estimate for decommissioning).</p> <p>(2) At the time of license renewal and at intervals not to exceed 3 years, the decommissioning funding plan must be resubmitted with adjustments as necessary to account for changes in costs and the extent of contamination. If the amount of financial assurance will be adjusted downward, this can not be done until the updated decommissioning funding plan is approved. The decommissioning funding plan must update the information submitted with the original or prior approved plan, and must specifically consider the effect of the following events on decommissioning costs:</p> <p>(i) Spills of radioactive material producing additional residual radioactivity in onsite subsurface material;</p>			

Change to NRC Section	Title	State Section	Compatibility Category	Summary of Change to CFR	Difference Yes/No	Significant Yes/No	If Difference, Why or Why Not Was a Comment Generated
				(ii) Waste inventory increasing above the amount previously estimated; (iii) Waste disposal costs increasing above the amount previously estimated; (iv) Facility modifications; (v) Changes in authorized possession limits; (vi) Actual remediation costs that exceed the previous cost estimate; (vii) Onsite disposal; and (viii) Use of a settling pond.			
§ 30.35(f)	Financial assurance and recordkeeping for decommissioning.		D	N/A	N/A		
§ 30.35(h)	Financial assurance and recordkeeping for decommissioning.		D	N/A	N/A		
Appendix A to Part 30	Criteria Relating to Use of Financial		D	N/A	N/A		

Change to NRC Section	Title	State Section	Compatibility Category	Summary of Change to CFR	Difference Yes/No	Significant Yes/No	If Difference, Why or Why Not Was a Comment Generated
	Tests and Parent Company Guarantees for Providing Reasonable Assurance of Funds for Decommissioning						
Appendix C to Part 30	Criteria Relating to Use of Financial Tests and Self Guarantees for Providing Reasonable Assurance of Funds for Decommissioning		D	N/A	N/A		

Change to NRC Section	Title	State Section	Compatibility Category	Summary of Change to CFR	Difference Yes/No	Significant Yes/No	If Difference, Why or Why Not Was a Comment Generated
Appendix D to Part 30	Criteria Relating to Use of Financial Tests and Self-Guarantee for Providing Reasonable Assurance of Funds for Decommissioning by Commercial Companies That Have no Outstanding Rated Bonds		D	N/A	N/A		
Appendix E to Part 30	Criteria Relating to Use of Financial Tests and Self-Guarantee for Providing Reasonable Assurance of Funds for Decommissioning by Nonprofit		D	N/A	N/A		

Change to NRC Section	Title	State Section	Compatibility Category	Summary of Change to CFR	Difference Yes/No	Significant Yes/No	If Difference, Why or Why Not Was a Comment Generated
	Colleges, Universities, and Hospitals						
§40.36(c)(6)	Financial assurance and recordkeeping for decommissioning.		D	N/A	N/A		
§ 40.36(d)	Financial assurance and recordkeeping for decommissioning.		H&S	<p>In § 40.36, paragraph (d) is revised to read as follows:</p> <p>(d)(1) Each decommissioning funding plan must be submitted for review and approval and must contain –</p> <p>(i) A detailed cost estimate for decommissioning, in an amount reflecting:</p> <p>(A) The cost of an independent contractor to perform all decommissioning activities;</p> <p>(B) The cost of meeting the 10 CFR 20.1402 criteria for unrestricted use, provided that, if the applicant or licensee can demonstrate its ability to meet the provisions of 10 CFR 20.1403, the cost estimate may be based on meeting the 10 CFR 20.1403 criteria;</p>			

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				<p>(C) The volume of onsite subsurface material containing residual radioactivity that will require remediation; and</p> <p>(D) An adequate contingency factor.</p> <p>(ii) Identification of and justification for using the key assumptions contained in the DCE;</p> <p>(iii) A description of the method of assuring funds for decommissioning from paragraph (e) of this section, including means for adjusting cost estimates and associated funding levels periodically over the life of the facility;</p> <p>(iv) A certification by the licensee that financial assurance for decommissioning has been provided in the amount of the cost estimate for decommissioning; and</p> <p>(v) A signed original, or if permitted, a copy, of the financial instrument obtained to satisfy the requirements of paragraph (e) of this section (unless a previously submitted and accepted financial instrument continues to cover the cost estimate for decommissioning).</p> <p>(2) At the time of license renewal</p>			

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				<p>and at intervals not to exceed 3 years, the decommissioning funding plan must be resubmitted with adjustments as necessary to account for changes in costs and the extent of contamination. If the amount of financial assurance will be adjusted downward, this can not be done until the updated decommissioning funding plan is approved. The decommissioning funding plan must update the information submitted with the original or prior approved plan, and must specifically consider the effect of the following events on decommissioning costs:</p> <ul style="list-style-type: none"> (i) Spills of radioactive material producing additional residual radioactivity in onsite subsurface material; (ii) Waste inventory increasing above the amount previously estimated; (iii) Waste disposal costs increasing above the amount previously estimated; (iv) Facility modifications; (v) Changes in authorized possession limits; (vi) Actual remediation costs that exceed the previous cost estimate; 			

Change to NRC Section	Title	State Section	Compatibility Category	Summary of Change to CFR	Difference Yes/No	Significant Yes/No	If Difference, Why or Why Not Was a Comment Generated
				(vii) Onsite disposal; and (viii) Use of a settling pond.			
§40.36(e)	Financial assurance and recordkeeping for decommissioning.		D	N/A	N/A		
§40.36(g)	Financial assurance and recordkeeping for decommissioning.		D	N/A	N/A		
§ 40.46	Inalienability of licenses.		C	In § 40.46, the current paragraph is designated as paragraph (a) and a new paragraph (b) is added to read as follows: (b) An application for transfer of license must include: (1) The identity, technical and financial qualifications of the proposed transferee; and (2) Financial assurance for decommissioning information required by § 40.36 or Appendix A to this part, as applicable.			
Appendix A to Part 40	Criteria Relating to		NRC	N/A			

Change to NRC Section	Title	State Section	Compatibility Category	Summary of Change to CFR	Difference Yes/No	Significant Yes/No	If Difference, Why or Why Not Was a Comment Generated
Criterion 9	the Operation of Uranium Mills and the Disposition of Tailings or Wastes Produced by the Extraction or Concentration of Source Material from Ores Processed Primarily for Their Source Material Content						
§70.25(c)(5)	Financial assurance and recordkeeping for decommissioning.		D	N/A	N/A		
§70.25(d)	Financial assurance and recordkeeping for decommissioning.		D (**please note 10 CFR 70.25(d) was changed from a Compatibility	No Change to the text of §70.25(d)			

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			Category H&S to a Compatibility Category D)				
§ 70.25(e)	Financial assurance and recordkeeping for decommissioning.		H&S (**please note 10 CFR 70.25(e) was changed from a Compatibility Category D to a Compatibility Category H&S)	<p>In § 70.25, paragraph (e) is revised as follows:</p> <p>(e)(1) Each decommissioning funding plan must be submitted for review and approval and must contain –</p> <p>(i) A detailed cost estimate for decommissioning, in an amount reflecting:</p> <p>(A) The cost of an independent contractor to perform all decommissioning activities;</p> <p>(B) The cost of meeting the 10 CFR 20.1402 criteria for unrestricted use, provided that, if the applicant or licensee can demonstrate its ability to meet the provisions of 10 CFR 20.1403, the cost estimate may be based on meeting the 10 CFR 20.1403 criteria;</p> <p>(C) The volume of onsite subsurface material containing residual radioactivity that will require remediation; and</p> <p>(D) An adequate contingency factor.</p> <p>(ii) Identification of and justification</p>			

Change to NRC Section	Title	State Section	Compatibility Category	Summary of Change to CFR	Difference Yes/No	Significant Yes/No	If Difference, Why or Why Not Was a Comment Generated
				<p>for using the key assumptions contained in the DCE;</p> <p>(iii) A description of the method of assuring funds for decommissioning from paragraph (f) of this section, including means for adjusting cost estimates and associated funding levels periodically over the life of the facility;</p> <p>(iv) A certification by the licensee that financial assurance for decommissioning has been provided in the amount of the cost estimate for decommissioning; and</p> <p>(v) A signed original, or, if permitted, a copy, of the financial instrument obtained to satisfy the requirements of paragraph (f) of this section (unless a previously submitted and accepted financial instrument continues to cover the cost estimate for decommissioning).</p> <p>(2) At the time of license renewal and at intervals not to exceed 3 years, the decommissioning funding plan must be resubmitted with adjustments as necessary to account for changes in costs and the extent of contamination. If the amount of financial assurance will</p>			

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				<p>be adjusted downward, this can not be done until the updated decommissioning funding plan is approved. The decommissioning funding plan must update the information submitted with the original or prior approved plan, and must specifically consider the effect of the following events on decommissioning costs:</p> <ul style="list-style-type: none"> (i) Spills of radioactive material producing additional residual radioactivity in onsite subsurface material; (ii) Waste inventory increasing above the amount previously estimated; (iii) Waste disposal costs increasing above the amount previously estimated; (iv) Facility modifications; (v) Changes in authorized possession limits; (vi) Actual remediation costs that exceed the previous cost estimate; (vii) Onsite disposal; and (viii) Use of a settling pond. 			
§70.25(f)	Financial assurance and recordkeeping		D	N/A	N/A		

Change to NRC Section	Title	State Section	Compatibility Category	Summary of Change to CFR	Difference Yes/No	Significant Yes/No	If Difference, Why or Why Not Was a Comment Generated
	for decommissioning.						
§70.25(h)	Financial assurance and recordkeeping for decommissioning.		D	N/A	N/A		
§ 70.36	Inalienability of licenses		C	<p>In § 70.36, the current paragraph is designated as paragraph (a) and a new paragraph (b) is added to read as follows:</p> <p>(b) An application for transfer of license must include: (1) The identity, technical and financial qualifications of the proposed transferee; and (2) Financial assurance for decommissioning information required by § 70.25.</p>			