



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

December 14, 2020

ALL AGREEMENT STATES, CONNECTICUT AND NON-AGREEMENT STATES
FEDERALLY RECOGNIZED INDIAN TRIBES

NOTIFICATION OF UPCOMING PUBLIC MEETING TO DISCUSS APPROACHES FOR
RULEMAKING ON DECOMMISSIONING FINANCIAL ASSURANCE REQUIREMENTS FOR
SEALED AND UNSEALED RADIOACTIVE MATERIALS (STC-20-087)

Purpose: To inform all Agreement and non-Agreement States, Connecticut, and federally recognized Indian Tribes that the U.S. Nuclear Regulatory Commission (NRC), Office of Nuclear Material Safety and Safeguards, will be holding a public meeting on January 7, 2021, to discuss potential approaches for amending decommissioning financial assurance regulations for facilities licensed to use radioactive materials for industrial, medical, or research purposes. The NRC staff will use stakeholder input from this meeting to develop a proposed rule to revise these regulations.

Background: On April 14, 2017, the NRC received a petition for rulemaking (PRM) from the Organization of Agreement States (OAS) and docketed it as PRM-30-66 (Agencywide Document Access and Management System (ADAMS) Accession No. [ML17173A063](#)). The petitioner asked the NRC to amend its decommissioning financial assurance regulations to provide specific possession values for radionuclides that are not currently listed in Appendix B to Part 30 of Title 10 of the *Code of Federal Regulations* (10 CFR), "Rules of General Applicability to Domestic Licensing of Byproduct Material." The purpose would be to relieve licensees from having to apply the Appendix's default values for unlisted radionuclides to calculate decommissioning funding requirements. The NRC docketed the petition and published a request for comment on August 23, 2017 (82 FR 39971). The staff submitted its rulemaking plan, SECY-19-0125¹ ([ML18292A434](#)), on December 17, 2019, to the Commission, which the Commission approved on October 13, 2020 in SRM-SECY-19-0125 ([ML20287A248](#))². On November 27, 2020, the agency announced in a *Federal Register* notice that it would consider PRM-30-66 and other issues raised by commenters in rulemaking.

Discussion: The rulemaking would amend Appendix B to add unlisted radionuclides and assign them more risk-informed possession values for decommissioning funding requirements that better reflect anticipated costs. To ensure that all the values in Appendix B are risk-informed consistently, the staff would use the same method both to set values for newly listed radionuclides and to re-set the values for currently listed radionuclides.

¹ PETITION FOR RULEMAKING AND RULEMAKING PLAN ON DECOMMISSIONING FINANCIAL ASSURANCE REQUIREMENTS FOR SEALED AND UNSEALED RADIOACTIVE MATERIAL (PRM-30-66; NRC-2017-0159)

² STAFF REQUIREMENTS – SECY-19-0125 – PETITION FOR RULEMAKING AND RULEMAKING PLAN ON DECOMMISSIONING FINANCIAL ASSURANCE REQUIREMENTS FOR SEALED AND UNSEALED RADIOACTIVE MATERIAL (PRM-30-66; NRC-2017-0159)

The staff has identified two overall approaches to amending Appendix B. Under the first, the staff would develop a new method for setting Appendix B values based on the known and foreseeable risks of decommissioning a facility that uses the subject radionuclides. Under the second, the staff would reconstitute Appendix B with the radionuclides and possession values of Appendix C to 10 CFR Part 20, "Standards for Protection Against Radiation." Appendix C sets out the quantities of licensed material that require labeling, the threshold at which NRC regulation begins. The NRC is seeking public input on a preferred approach that considers cost and schedule impacts, future technological innovation, and the degree to which the NRC and the Agreement States need to better risk-inform decommissioning funding requirements.

The meeting will be held virtually as a Webinar on Thursday, January 7, 2021, from 1:00 to 4:00 p.m. Eastern Standard Time. The NRC will post a meeting notice on the agency's [public meeting notice webpage](#). The meeting notice will include the agenda, meeting presentation, registration/log-in and bridgeline information.

If you have any questions on this correspondence, please contact me at 301-415-9967 or the individual named below:

POINTS OF CONTACT:

NAME:	Torre Taylor	Robert MacDougall
E-MAIL:	Torre.Taylor@nrc.gov	Robert.MacDougall@nrc.gov
TELEPHONE:	(301) 415-7900	(301) 415-5175

Brian C. Anderson
Digitally signed by
Brian C. Anderson
Date: 2020.12.14
12:05:50 -05'00'

Brian C. Anderson
State Agreement and Liaison Programs Branch
Division of Materials Safety, Security, State,
and Tribal Programs
Office of Nuclear Material Safety
and Safeguards