

**Nuclear Decommissioning Citizens Advisory Panel**  
**DRAFT Advisory Opinion for Discussion at 11.12.15 NDCAP Meeting**  
**Submitted on 10.15.15**

## **Effectively and Substantively Engaging Host Communities in Nuclear Regulatory Commission Reactor Decommissioning Rulemaking**

**Current Decommissioning Policy:** Federal policy, administered by the U.S. Nuclear Regulatory Commission (NRC), establishes the guidelines by which a nuclear power plant conducts radiological decommissioning. The choice of how a plant decommissions is left to the plant operator and is explained in a document developed by the plant operator called the Post Shutdown Decommissioning Activities Report (PSDAR). The PSDAR includes a decommissioning activities plan, a review of related decommissioning cost estimates and assumptions about the sufficiency of decommissioning trust funds. The NRC reviews the PSDAR but does not have approval authority. The NRC does not have oversight of non-radiological decommissioning activities or site restoration and related costs. Local governments and the public have the opportunity to comment on the PSDAR to the NRC during one public hearing and may submit written comments. Because of the current absence of decommissioning rules, as a plant decommissions it applies to the NRC for amendments to its current license and exemptions from NRC operating reactor policy. Following and engaging in license amendment and exemption procedures are difficult for state agencies and are effectively beyond the capacity of local or regional government entities.

**Our Request:** Nuclear Regulatory Commission (NRC) staff have initiated the process of a reactor decommissioning rulemaking. We would like host communities to be actively and substantively engaged in this process from the outset. The Nuclear Energy Institute serves as a unified industry voice and has formed a Decommissioning Task Force to advise the NRC. We believe it is in the best interest of the public and the industry to have host communities similarly engaged. To this end, we suggest that an organization such as the National Association of Development Organizations be supported to convene host communities to inform federal policy by 1) documenting the local experience of past decommissionings including economic, fiscal, employment, and environmental impacts, all of which are to be assessed by the NRC in its development of decommissioning Environmental Impact Statements; 2) assessing host community costs, benefits and risks of deferred radiological and non-radiological decommissioning and site restoration versus prompt decommissioning and related local government policy concerns; and 3) forming a Host Community Decommissioning Policy Task Force to provide local government insight to the NRC in its rulemaking.

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