

UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
OFFICE OF NUCLEAR REACTOR REGULATION  
WASHINGTON, DC 20555-0001

June 21, 2006

**REGULATORY ISSUE SUMMARY 2006-09  
NRC'S PROCEDURES FOR REVIEW OF DECOMMISSIONING  
FUNDING ASSURANCE REPORTS**

**ADDRESSEES**

All holders of operating licenses for nuclear power reactors, except those who have permanently ceased operations and certified that fuel has been permanently removed from the reactor vessel.

**INTENT**

The U.S. Nuclear Regulatory Commission (NRC) is issuing this regulatory issue summary (RIS) to inform all licensees that the staff developed NRR Office Instruction LIC-205 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML060940529), "Procedures for NRC's Independent Analysis of Decommissioning Funding Assurance for Operating Nuclear Power Reactors."

LIC-205 defines and documents how the staff conducts its timely independent analysis of the reports required to be submitted every 2 years (biennial) pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR) Section 50.75(f)(1) on the status of decommissioning funding assurance for each nuclear power reactor or part of a reactor owned by a licensee. These biennial reports (which were initially submitted by March 31, 1999, and are to be submitted at least once every 2 years thereafter by March 31) reflect funding data as of the end of the preceding calendar year. The NRC staff performs an independent analysis of each of these reports to determine whether licensees have provided reasonable assurance that sufficient funding for radiological decommissioning of the reactor will be available at the time permanent termination of operations is expected. This RIS requires no action or written response on the part of the addressee.

**BACKGROUND INFORMATION**

Pursuant to 10 CFR 50.75(f)(1), each power reactor licensee is required to report on the status of its decommissioning funding assurance to the NRC every 2 years, with the first reports being submitted by March 31, 1999.

Based on the staff's lessons learned exercise conducted following the analysis of the initial biennial reports submitted by March 31, 1999, and subsequent biennial reports submitted by the end of March 2001, March 2003, and March 2005, the staff developed LIC-205. LIC-205 defines and documents how the staff performs its independent analysis of each biennial report

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submitted by licensees on the status of decommissioning funding assurance for each operating nuclear power reactor or part of a reactor that licensees own, the information necessary to support the staff's independent analysis, the time to complete the independent analysis, and the quality assurance plan that has been developed and implemented to improve the quality of the staff's analysis of the biennial reports.

## **SUMMARY OF ISSUE**

LIC-205 defines how the staff performs its independent analysis of each biennial report submitted by licensees on the status of decommissioning funding assurance for each operating nuclear power reactor or part of a reactor that licensees own.

## **BACKFIT DISCUSSION**

This RIS provides information to licensees on how the staff performs its independent analysis of each biennial report submitted by licensees. This RIS does not impose any new or modified NRC staff requirements or prescribe a particular way to comply with regulations. Additionally, it does not require any action or written response. Therefore, this RIS does not constitute a backfit under 10 CFR 50.109, and the NRC staff did not perform a backfit analysis.

## **FEDERAL REGISTER NOTIFICATION**

A notice of opportunity for public comment on this RIS was not published in the *Federal Register* because it is informational and pertains to a NRC staff position that does not depart from current regulatory practice.

## **SMALL BUSINESS REGULATORY ENFORCEMENT FAIRNESS ACT OF 1996**

The NRC has determined that this action is not subject to the Small Business Regulatory Enforcement Fairness Act of 1996.

## **PAPERWORK REDUCTION ACT STATEMENTS**

This RIS does not contain new or amended information collection requirements subject to the requirements of the Paperwork Reduction Act of 1995 (44 U. S.C. 3501et seq.). Existing requirements were approved by the Office Management and Budget (OMB), approval number 315-0011.

### **Public Protection Notification**

The NRC may not conduct or sponsor, and a person is not required to respond to, a request for information or an information collection requirement unless the requesting document displays a currently valid OMB control number.

## CONTACT

This RIS requires no specific action or written response. If you have any questions about this matter, please contact the technical contact listed below or the Office of Nuclear Reactor Regulation project manager for your specific nuclear power plant.

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Note: NRC generic communications may be found on the NRC public Web site, <http://www.nrc.gov>, under Electronic Reading Room/Document Collections.