



UNITED STATES  
NUCLEAR REGULATORY COMMISSION

WASHINGTON, D.C. 20555-0001

REQUEST REPLY BY:

10/7/04  
September 21, 2004

Approved. See attached  
comments.

MEMORANDUM TO: Chairman Diaz  
Commissioner McGaffigan  
Commissioner Merrifield

FROM: Luis A. Reyes  
Executive Director for Operations

*Nils J. Diaz*  
Nils J. Diaz 10/8/04

SUBJECT: STATUS OF DECOMMISSIONING PROGRAM - 2004 ANNUAL  
REPORT

This memorandum provides the Commission the staff's draft 2004 Annual Report on the Status of the Decommissioning Program. This draft NUREG report provides a comprehensive status of the U.S. Nuclear Regulatory Commission's decommissioning program. Its purpose is to provide a stand-alone reference document that describes the decommissioning process and summarizes the status of all decommissioning activities since the last report, through August 1, 2004, including the decommissioning of complex decommissioning sites, commercial reactors, research and test reactors, uranium mill tailings facilities, and fuel cycle facilities. In addition, this report discusses accomplishments in the decommissioning program since last year's report (SECY-03-0161), and it informs the Commission of decommissioning issues that the staff will address in the coming year. The staff plans to publish the report as a final NUREG in December 2004.

In the SRM to SECY 03-0161, "2003 Annual Update – Status of Decommissioning Program," the Commission directed the staff to expand the focus and increase the level of detail in the Annual Decommissioning Report with the intent of developing it as a primary communication document, and make other changes to the format of the report. In February 2004, the staff submitted SECY-04-0024, "Recommended Changes to Nuclear Regulatory Commission's Decommissioning Program and Annual Decommissioning Program Report."

CONTACT: John Buckley, NMSS/DWMEP  
(301) 415-6607

<b>OFFICIAL USE ONLY</b>	
May be exempt from public release under the Freedom of Information Act (5 U.S.C. 552)	
Exemption number: <u>5</u>	
Nuclear Regulatory Commission review required before public release	
Date of Review: <u>9/21/04</u>	

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**CHAIRMAN DIAZ' COMMENTS ON COMSECY-04-0059, STATUS OF DECOMMISSIONING  
PROGRAM - 2004 ANNUAL REPORT**

I approve the draft NUREG forwarded by COMSECY-04-0059.

This paper did not ask for any decision from the Commission. In future policy papers that are not provided for information only, the staff should clearly identify what they are asking the Commission to approve.



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MEMORANDUM TO: Chairman Diaz  
Commissioner McGaffigan  
Commissioner Merrifield

FROM: Luis A. Reyes  
Executive Director for Operations

Approved  
*Eddie Proffgen*  
10/14/04

SUBJECT: STATUS OF DECOMMISSIONING PROGRAM - 2004 ANNUAL REPORT

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MEMORANDUM TO: Chairman Diaz  
Commissioner McGaffigan  
Commissioner Merrifield

Approve as modified in the  
attached comments.

FROM: Luis A. Reyes  
Executive Director for Operations

*[Signature]*  
Jeffrey S. Merrifield

SUBJECT: STATUS OF DECOMMISSIONING PROGRAM - 2004 ANNUAL  
REPORT

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Exemption number \_\_\_\_\_  
Nuclear Regulatory Commission review required before public release.

\_\_\_\_\_  
John T. Buckley

Date of Discontinuation: 9/30/04

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### Comments from Commissioner Merrifield on COMSECY-04-0059:

I approve publication of the NUREG on the status of the NRC decommissioning program as contained in COMSECY-04-0059 as modified by the following comments.

1. An additional appendix should be added to the report which lists sites by state, with the sites listed alphabetically within each state. Each site listed should have a cross reference to the appropriate page which contains the detailed site status.
2. The discussions for the research and test reactors are inconsistent in describing the status of the fuel. All the research and test reactors should have a brief discussion of the status of both fresh and spent fuel on the site. For example, the discussion of the University of Buffalo reactor states that there is no firm date for DOE to accept shipment of the fuel. It is my understanding that all fresh fuel has been shipped to another site and they are waiting on DOE to accept the spent fuel.
3. The title for section 10.3 (page 35) should be clarified to more clearly describe the actions in this section for someone outside the NRC organizational structure. These facilities are undergoing partial site decommissioning and will remain an active NRC licensee. The title for section 10.3 should be something similar to "Fuel Cycle Facility Decommissioning at Active Facilities". The discussion at the start of 10.3.1 should state that some active sites are undergoing partial decommissioning and will remain as active licensees. These sites remain the responsibility of the Division of Fuel Cycle Safety and Safeguards. This change will clarify the discussion for someone not familiar with the NRC organization.
4. The word "Sioux" (as in Sioux Falls, SD) is spelled incorrectly twice - see item number 28 on page 28 and at the top of page C-30).
5. The discussion for Millstone - Unit 1 (page A-9) and for Saxton (page A-14) should include a brief discussion on the fact that these units are under the responsibility of NRR and when (if ever) they are anticipated to be transferred to NMSS. The other facilities remaining under NRR responsibility have such language and the report should be consistent.

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