
Draft Environmental Assessment for the Proposed Rule—Regulatory Improvements for Production and Utilization Facilities Transitioning to Decommissioning

U.S. Nuclear Regulatory Commission

Office of Nuclear Reactor Regulation

Office of Nuclear Materials Safety and Safeguards

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DRAFT FOR COMMENT



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ABBREVIATIONS AND ACRONYMS

ANPR	Advance Notice of Proposed Rulemaking
BWR	boiling water reactor
CFR	<i>Code of Federal Regulations</i>
DFP	decommissioning funding plans
DP	decommissioning plan
DTF	decommissioning trust funds
EA	environmental assessment
EP	emergency preparedness
FOCD	foreign ownership, control, or domination
FONSI	finding of no significant impact
FR	<i>Federal Register</i>
ISFSI	independent spent fuel storage installation
NEPA	National Environmental Policy Act
NRC	U.S. Nuclear Regulatory Commission
PWR	pressurized water reactor
SSC	systems, structures, and components

1 INTRODUCTION

The U.S. Nuclear Regulatory Commission (NRC) is proposing to amend its regulations related to the decommissioning of production and utilization facilities. The proposed rulemaking would amend language in multiple parts of Title 10 of the *Code of Federal Regulations* (10 CFR). These changes would affect the following parts:

- 10 CFR Part 20, “Standards for Protection Against Radiation”
- 10 CFR Part 26, “Fitness for Duty Programs”
- 10 CFR Part 50, “Domestic Licensing of Production and Utilization Facilities”
- 10 CFR Part 51, “Environmental Protection Regulations for Domestic Licensing and Related Regulatory Functions”
- 10 CFR Part 52, “Licenses, Certifications, and Approvals for Nuclear Power Plants”
- 10 CFR Part 72, “Licensing Requirements for the Independent Storage of Spent Nuclear Fuel, High-Level Radioactive Waste, and Reactor-Related Greater Than Class C Waste”
- 10 CFR Part 73, “Physical Protection of Plants and Materials”
- 10 CFR Part 140, “Financial Protection Requirements and Indemnity Agreements”

Under 10 CFR Part 50 and 10 CFR Part 52, the NRC requires current and future holders of commercial nuclear power plant operating licenses and current and future holders of combined licenses, respectively, to comply with a variety of regulatory requirements related to decommissioning. Reactor decommissioning requirements are codified in 10 CFR 50.82, “Termination of license,” and 10 CFR 52.110, “Termination of license.” Associated decommissioning funding requirements are codified in 10 CFR 50.75, “Reporting and recordkeeping for decommissioning planning.” A nuclear power reactor licensee formally begins the decommissioning process when it certifies its permanent cessation of operations and permanent removal of fuel from the reactor vessel under 10 CFR 50.82(a)(1) or 10 CFR 52.110(a). Once the NRC docket these certifications, the license under 10 CFR Part 50 or 10 CFR Part 52 no longer authorizes operation of the reactor.

For non-power production or utilization facilities, 10 CFR 50.82(b) requires that the licensee apply for license termination within two years following permanent cessation of operation. Each application for termination of a license must be accompanied, or preceded, by a proposed decommissioning plan (DP). Under some circumstances, the licensee can apply for a possession-only license amendment under 10 CFR 50.90, “Application for amendment of license, construction permit, or early site permit,” after operations have ended and before decommissioning starts. The possession-only license amendment grants the licensee authority to possess but not to operate the facility. Otherwise, the NRC’s regulations do not state when a non-power production or utilization facility licensee is no longer authorized to operate, other than at license termination.

The NRC has prepared this environmental assessment (EA) in compliance with the NRC’s environmental protection regulations in 10 CFR Part 51, which implement the National Environmental Policy Act of 1969 (NEPA). This EA evaluates and documents the potential

environmental impacts resulting from the proposed rule related to regulatory improvements for production and utilization facilities transitioning to decommissioning.

1.1 Background

In 1988, the NRC published “General Requirements for Decommissioning Nuclear Facilities; Final Rule” (NRC 1988a) (1988 Final Rule), in which the NRC amended its regulations to provide specific requirements for the decommissioning of nuclear facilities. Specifically, the 1988 Final Rule established regulations on acceptable decommissioning alternatives, planning for decommissioning, decommissioning timeliness, assurance of the availability of funds for decommissioning, and environmental review requirements related to decommissioning. The amended regulations provided a regulatory framework for more efficient and consistent licensing actions related to decommissioning.

In 1996, the NRC published “Decommissioning of Nuclear Power Reactors; Final Rule” (NRC 1996) (1996 Final Rule) to amend its regulations for reactor decommissioning to clarify ambiguities, codify procedures that reduced regulatory burden, provide greater flexibility, and allow for greater public participation in the decommissioning process. The 1996 Final Rule made fundamental changes to power reactor decommissioning by streamlining the process and reducing both licensee and NRC resource expenditures while maintaining safety, protecting the environment, and encouraging public involvement. The degree of regulatory oversight required for a nuclear power reactor during its decommissioning stage is considerably less than that required for the facility during its operating stage.

To support the 1988 Final Rule, the NRC prepared NUREG-0586, “Generic Environmental Impact Statement on Decommissioning of Nuclear Facilities Regarding the Decommissioning of Nuclear Power Plants,” issued August 1988 (NRC 1988b), which generically addressed the environmental impacts of nuclear reactor decommissioning. The NRC issued a finding of no significant impact (FONSI) for the 1996 Final Rule (61 FR 39296). The NRC concluded that the environmental impacts associated with power reactor decommissioning activities are expected to be minor and should be bounded by previous environmental analyses. In November 2002, the NRC issued Supplement 1 to NUREG-0586, which considered the technological advances in decommissioning since 1988 and experience gained from decommissioning and addressed changes to the decommissioning regulations made in the 1996 Final Rule (NRC 2002).

1.2 Proposed Action

The proposed action is a rulemaking to update the NRC’s regulations related to production and utilization facilities transitioning to decommissioning. The proposed rulemaking would amend language in 10 CFR Parts 20, 26, 50, 51, 52, 72, 73, and 140. The proposed rulemaking would: (1) continue to provide reasonable assurance of adequate protection of public health and safety and the common defense and security at decommissioning production and utilization facilities, (2) ensure that the requirements for decommissioning production and utilization facilities are clear and appropriate, (3) adopt regulations to address generic issue applicable to all decommissioning power reactors that have historically been addressed through similarly worded exemptions and license amendments, and (4) identify, define, and resolve additional areas of concern deemed relevant by the NRC staff related to the regulation of decommissioning power reactors.

1.3 Purpose of and Need for Proposed Action

By issuing this decommissioning rule, the NRC would establish regulations that maintain safety and security at sites transitioning to decommissioning without the need to grant specific exemptions or license amendments in certain regulatory areas, as well as address other issues deemed relevant by the NRC staff.

The Commission directed the NRC staff to proceed with an integrated rulemaking on power reactor decommissioning (NRC 2014a). The Commission stated that the rulemaking should address: issues discussed in SECY-00-0145, "Integrated Rulemaking Plan for Nuclear Power Plant Decommissioning" (NRC 2000), such as the graded approach to emergency preparedness (EP); lessons learned from the plants that have already gone through (or are currently going through) the decommissioning process; the advisability of requiring a licensee's post-shutdown decommissioning activities report to be approved by the NRC; the appropriateness of maintaining the three existing options for decommissioning and the timeframes associated with those options; the appropriate role of State and local governments and non-governmental stakeholders in the decommissioning process; and any other issues deemed relevant by the NRC staff.

2 ENVIRONMENTAL IMPACTS OF THE PROPOSED ACTION

The proposed rule includes some actions that are of the types described in 10 CFR 51.22(c). The NRC has previously determined that these types of actions do not have a significant impact on the environment and has categorically excluded them from the requirement to prepare an environmental analysis. Specifically, the NRC has determined that some amendments in this proposed rule are the types of actions described in the 10 CFR 51.22(c) exclusions noted in Table 1. Accordingly, the NRC has not developed an environmental impact statement or an environmental assessment for these portions of the proposed rule.

Table 1 – Application of 10 CFR 51.22 Categorical Exclusions to the Proposed Requirements

Regulation	Applicable 10 CFR 51.22 paragraph
10 CFR Part 26	(c)(1), (c)(3)
10 CFR 50.2	(c)(2), (c)(3)
10 CFR 50.54(bb)	(c)(3)
10 CFR 50.59(d)	(c)(3)
10 CFR 50.71(c)	(c)(3)
10 CFR 50.75(f)	(c)(3)
Elimination of 10 CFR 50.75(f)(2)	(c)(2)
10 CFR 50.82(a)	(c)(2), (c)(3)
10 CFR 50.109	(c)(2)
10 CFR Part 50, Appendix A	(c)(3)
10 CFR Part 20, Appendix G	(c)(3)
10 CFR 51.53	(c)(3)
10 CFR 51.95	(c)(3)
10 CFR 52.63	(c)(3)
10 CFR 52.110	(c)(2)
10 CFR 72.72	(c)(3)
10 CFR 72.218	(c)(3)
10 CFR Part 140	(c)(1)

Proposed changes to regulations related to EP, physical security, cyber security, decommissioning trust funds, financial protection requirements, and foreign ownership, control, or domination (FOCD) require the NRC to prepare an EA to address the potential associated environmental impacts. The following sections discuss each of these topics and the potential environmental impacts.

2.1 Emergency Preparedness

The proposed rule would offer an alternative, graded approach to the current requirements of 10 CFR 50.47, “Emergency plans,” and 10 CFR Part 50, Appendix E, “Emergency Planning and Preparedness for Production and Utilization Facilities,” as they pertain to onsite and offsite radiological EP. The rule would provide the following four levels of emergency planning standards that coincide with significant milestones that reflect the gradual reduction of the radiological risk during decommissioning of power reactors:

- (1) Post-shutdown emergency plan
- (2) permanently defueled emergency plan
- (3) independent spent fuel storage installation (ISFSI)-only emergency plan
- (4) no emergency plans are required

The NRC is proposing to adjust the requirements for EP based on the reduction in radiological risk for nuclear power plants as they proceed through decommissioning. This new approach would reduce a licensee's burden of maintaining planning and resources to respond to accidents that are no longer likely, or even possible. The NRC derived the proposed graded approach to EP based, in part, on previously approved exemptions from the current operating reactor regulatory requirements for which findings of reasonable assurance have already been made. The proposed rule incorporates those reasonable assurance findings into 10 CFR 50.54(q)(7). Therefore, emergency plan changes that meet those standards in 10 CFR 50.54(q)(7)(i), (ii), or (iii), would not be reductions in effectiveness of the plan and would not require NRC prior approval. The NRC's proposed regulatory approach to transitions between graded EP standards would rely on the current change process in 10 CFR 50.54(q)(3) or (4).

The NRC has completed several EAs and FONSIs associated with the approval of EP-related exemptions and has consistently concluded that the exemptions would not increase probability of consequences of accidents, and there would be no significant change in the type or amount of effluent released offsite nor any significant increase in public or occupational exposure. The EAs also concluded that there would be no significant nonradiological impacts.¹ Based on the lack of environmental impact noted from NRC's previous EP exemptions, the NRC concludes that the proposed changes related to EP requirements would not have any significant impacts on the environment.

2.2 Physical Security

The proposed rule would change language in 10 CFR Parts 50, 72, and 73 related to physical security requirements that would apply once a nuclear power reactor enters decommissioning. This rulemaking would not decrease the physical security standards and requirements applicable to operating nuclear reactors. The proposed changes for decommissioning power reactors would allow for a graded approach and alternatives for physical security of the facility. These changes include the following:

- conforming changes to 10 CFR Part 73 to allow a certified fuel handler, in addition to a licensed operator, to temporarily suspend security measures during certain emergency conditions and to allow a certified fuel handler or senior onsite supervisor with input from the security supervisor to temporarily suspend security measures during severe weather;
- removal of requirements for licensees to have a physical protection program to prevent significant core damage once the licensee has certified that the fuel has been removed from the reactor core;
- removal of the control room as a "vital area" once vital equipment has been removed;

¹ Examples of EAs and FONSIs related to EP exemptions include "La Crosse Boiling Water Reactor, Environmental Assessment and Finding of No Significant Impact Regarding an Exemption Request," 78 FR 46378 (July 31, 2013), "Entergy Nuclear Operations, Inc.; Vermont Yankee Nuclear Power Station," 80 FR 47960 (August 10, 2015), and "Omaha Public Power District; Fort Calhoun Station, Unit No. 1," 82 FR 56060 (November 27, 2017).

- allowing continuous communication between the alarm stations and the certified fuel handler or senior on-shift licensee representative in lieu of the existing requirement to have continuous communication between the alarm stations and control room;
- adding the option for a general license ISFSI to transition to the requirements in 10 CFR 73.51, “Requirements for the physical protection of stored spent nuclear fuel and high-level radioactive waste,” for specific license ISFSIs; and
- defining terms used to make changes to physical security plans.

The NRC concludes that because the proposed changes related to physical security requirements are limited to personnel and administrative changes there would be no impact on the environment.

2.3 Cyber Security

Proposed changes to cyber security in 10 CFR 73.54, “Protection of digital computer and communication systems and networks,” and 10 CFR 73.55, “Requirements for physical protection of licensed activities in nuclear power reactors against radiological sabotage,” would clarify the cyber security requirements applicable to a nuclear power reactor during each stage of the decommissioning process. The NRC is proposing to extend the requirements in 10 CFR 73.54 through Level 1 of the graded approach.

These proposed changes do not change the design-basis requirements for the structures, systems, and components (SSCs) in a facility that function to limit the release of radiological effluents during and following postulated accidents. This rulemaking would not affect the standards and requirements applicable to radiological releases and effluents, and those standards and requirements would continue to apply to the SSCs affected by this rulemaking. Therefore, the NRC concludes that the proposed changes related to cyber security as part of this rulemaking would not have any significant impact on the environment.

2.4 Decommissioning Trust Funds

The rulemaking proposes several changes in the area of decommissioning funding. Proposed changes would allow power reactor licensees to use excess funds in the decommissioning trust fund (DTF) established under 10 CFR 50.75 during decommissioning for spent fuel management and for decommissioning of specific license ISFSIs if certain conditions are met. Additionally, the proposed rule would remove the requirement for NRC approval of ISFSI decommissioning funding plans (DFPs) filed under 10 CFR 72.30(c).

The purpose of the decommissioning funding assurance requirement is to ensure that a licensee can provide reasonable assurance that sufficient funds will be available for radiological decommissioning. The NRC is proposing to change its decommissioning funding assurance requirements to allow a licensee the option to use DTFs not only for radiological decommissioning costs but also, if certain requirements are met, for spent fuel management and specific license ISFSI decommissioning costs.² The use of this option, however, is predicated on the licensee’s ability to fully fund radiological decommissioning, notwithstanding any withdrawals for spent fuel management and specific license ISFSI decommissioning costs. Consequently, this option is only available to a licensee with a DTF of an amount that exceeds

² The environmental impacts from the licensing of specific license ISFSIs and other spent fuel management activities are considered in separate reviews and are not related to DTF reviews.

the amount necessary for radiological decommissioning. These proposed changes do not change the amount of funding needed but allow a licensee to use the funds for spent fuel management and specific license ISFSI decommissioning if conditions are met and excess funds are available. This change has no nexus to the physical environment, as it is administrative in nature and would not present environmental impacts.

As part of the review and approval of an ISFSI DFP upon its submittal every 3 years, the NRC must prepare an EA and FONSI. The NRC has issued one final EA and FONSI³ and concluded that the approval of an ISFSI DFP has no significant impact on the environment because the approval does not change the scope or nature of the operation of the ISFSI and does not authorize changes to licensed routine operations, maintenance activities, or construction activities.⁴ Further, the NRC's approval of a DFP does not result in any changes in the types, characteristics, or quantities of radiological or nonradiological effluents or solid waste. A licensee must still ensure that adequate funding is available for facility and ISFSI decommissioning. Based on the lack of environmental impacts noted from the NRC's previous approvals of ISFSI DFPs and because the proposed rule change does not alter the fact that a licensee must maintain sufficient funding for ISFSI decommissioning, the NRC concludes that the proposed change related to ISFSI DFPs as part of this rulemaking would not have any significant impacts on the environment.

2.5 Financial Protection Requirements

The proposed rulemaking would allow certain licensees with decommissioning nuclear reactors to reduce the insurance amounts that they are required to maintain without obtaining exemptions from the NRC's regulations. The proposed changes would codify a two-step graded reduction approach. As proposed under 10 CFR 140.11(a)(5) and 10 CFR 50.54(w)(5), once certain criteria are satisfied (i.e., after the spent fuel has decayed for 10 months for boiling water reactors or 16 months for pressurized water reactors), a licensee could reduce its financial protection to the amounts in the second level of the graded approach. The changes to 10 CFR Part 140 for offsite insurance are categorically excluded in accordance with 10 CFR 51.22(c)(2) and therefore have no potential environmental impacts. The changes to 10 CFR Part 50 for onsite financial protection are conforming changes to be consistent with the offsite financial protection requirements in 10 CFR Part 140. The changes have no nexus to the physical environment as they are administrative in nature; therefore, the NRC concludes that the proposed changes related to financial protection requirements as part of this rulemaking would not have any significant impacts on the environment.

2.6 Foreign Ownership, Control, or Domination

The FOCD prohibition is a financial ownership restriction and is neither a technical nor an operational requirement. The proposed changes to 10 CFR 50.38, "Ineligibility of certain applicants," would specify that the FOCD prohibition does not apply to entities seeking a license for a production or utilization facility after the licensee no longer has authority to operate the facility and the facility has been modified to be incapable of being a production or utilization facility without significant plant alterations. This would eliminate the need for an application for the transfer of such a facility to address the FOCD requirement, but it would not eliminate the need for the application to address the inimicality requirement, including the potential effect of

³ "Portland General Electric Company; Trojan Independent Spent Fuel Storage Installation in Columbia County, Oregon – Environmental Assessment and Finding of No Significant Impact; issuance," 81 FR 6549 (February 8, 2016).

⁴ The NRC has also issued several draft EAs related to ISFSI DFPs to various States for their review and comment.

any foreign involvement on inimicality. This change has no nexus to the physical environment, as it is administrative in nature, and would not present environmental impacts. Therefore, the NRC concludes that the proposed changes related to FOCD as part of this rulemaking would not have any significant impacts on the environment.

3 ENVIRONMENTAL IMPACTS OF THE ALTERNATIVE TO THE PROPOSED ACTION

Under the no-action alternative, the NRC would not pursue a rulemaking related to nuclear power plant decommissioning. Licensees would continue to be required to meet current regulations or seek relief using the existing regulatory framework (e.g., change requests under 10 CFR 50.59, "Changes, tests, and experiments," license amendment or exemption requests). Under the no-action alternative, the NRC would continue to analyze the environmental impacts of exemptions and license amendment requests on a case-by-case basis. For already completed license amendment and exemption requests related to EP requirements and DTFs, the NRC has concluded that impacts to the environment would not be significant.

4 AGENCIES AND PERSONS CONSULTED

The NRC developed the proposed rule and this draft EA. The NRC is requesting public comment on this draft EA. The NRC intends to hold a public meeting during the proposed rule comment period to allow stakeholders to ask questions about the proposed rule and this EA. The NRC will consider comments received on the docket as it develops the final rule and the final EA. The NRC will issue the final EA when it publishes the final rule.

The proposed rule is one step in the rulemaking process. First, the NRC staff published an advance notice of proposed rulemaking (ANPR) in November 2015 (NRC 2015). The ANPR sought public comment on specific questions and issues with respect to possible revisions to the NRC's requirements related to reactor decommissioning. The NRC issued letters informing all state liaison officers of the ANPR. The NRC also held a public meeting on December 9, 2015, to solicit comments. The NRC staff considered the public comments received on the ANPR in its formulation of the draft regulatory basis (NRC 2017a).

Next, in the draft regulatory basis, the NRC staff considered amendments to the NRC's regulations that address regulatory improvements for power reactors transitioning to decommissioning. The NRC published the draft regulatory basis in March 2017 and sought public comment on specific questions and issues with respect to possible revisions to the NRC's requirements. In addition, the NRC held a public meeting in May 2017 (NRC 2017b). The NRC also issued letters to all state liaison officers and tribes within 50 miles of reactors to provide notification of the draft regulatory basis. The NRC received 40 public comment submissions on the draft regulatory basis, which it considered in its preparation of the final regulatory basis. Several of the comments on the draft regulatory basis suggested that the NRC prepare an environmental impact statement for this rulemaking. However, the proposed rulemaking changes would be administrative or procedural in nature and have no nexus to the physical environment or would have no significant impact on the environment. Further, the NRC has already addressed the environmental impacts from decommissioning activities in NUREG-0586, and nothing in this proposed rulemaking would change those impacts. Therefore, preparation of an environmental impact statement is not required. The NRC staff published a *Federal Register* notice announcing the public availability of the final regulatory basis in November 2017 (NRC 2017c).

The proposed rulemaking changes are administrative with no nexus to the physical environment or would not result in significant impact on the environment. As such, the rulemaking would not result in impacts to listed species or critical habitat; the NRC has determined that Section 7 consultation under the Endangered Species Act is not necessary. Likewise, the NRC determined that the proposed rulemaking would not have the potential to cause effects on or to historic properties. Therefore, the NRC has determined that no further consultation is required under Section 106 of the National Historic Preservation Act.

5 REFERENCES

- 10 CFR Part 20. *Code of Federal Regulations*, Title 10, *Energy*, Part 20, “Standards for Protection Against Radiation.” Washington, DC.
- 10 CFR Part 26. *Code of Federal Regulations*, Title 10, *Energy*, Part 26, Fitness for Duty Programs.” Washington, DC.
- 10 CFR Part 50. *Code of Federal Regulations*, Title 10, *Energy*, Part 50, “Domestic Licensing of Production and Utilization Facilities.” Washington, DC.
- 10 CFR Part 51. *Code of Federal Regulations*, Title 10, *Energy*, Part 51, “Environmental Protection Regulations for Domestic Licensing and Related Regulatory Functions.” Washington, DC.
- 10 CFR Part 52. *Code of Federal Regulations*, Title 10, *Energy*, Part 52, “Licenses, Certifications, and Approvals for Nuclear Power Plants.” Washington, DC.
- 10 CFR Part 72. *Code of Federal Regulations*, Title 10, *Energy*, Part 72, “Licensing Requirements for the Independent Storage of Spent Nuclear Fuel, High-Level Radioactive Waste, and Reactor-Related Greater Than Class C Waste.” Washington, DC.
- 10 CFR Part 73. *Code of Federal Regulations*, Title 10, *Energy*, Part 73, “Physical Protection of Plants and Materials.” Washington, DC.
- 10 CFR Part 140. *Code of Federal Regulations*, Title 10, *Energy*, Part 140, “Financial Protection Requirements and Indemnity Agreements.” Washington, DC.
- 61 FR 39296. “Decommissioning of Nuclear Power Reactors.” Office of the Federal Register, Volume 61, page 39296. July 29, 1996.
- 78 FR 46378. “La Crosse Boiling Water Reactor, Environmental Assessment and Finding of No Significant Impact Regarding an Exemption Request.” Office of the Federal Register, Volume 78, page 46378. July 31, 2013.
- 80 FR 47960. “Entergy Nuclear Operations, Inc.; Vermont Yankee Nuclear Power Station – Environmental Assessment and Finding of No Significant Impact; issuance.” Office of the Federal Register, Volume 80, page 47960. August 10, 2015.
- 81 FR 6549. “Portland General Electric Company; Trojan Independent Spent Fuel Storage Installation in Columbia County, Oregon – Environmental Assessment and Finding of No Significant Impact; issuance,” Office of the Federal Register, Volume 81, page 6549. February 8, 2016.
- 82 FR 56060. “Omaha Public Power District; Fort Calhoun Station, Unit No. 1 – Environmental Assessment and Finding of No Significant Impact; issuance.” Office of the Federal Register, Volume 82, page 56060. November 27, 2017.
- Atomic Energy Act of 1954, as amended. 42 USC 2011 *et seq.*
- Endangered Species Act of 1973, as amended. 16 USC 1531 *et seq.*

National Environmental Policy Act of 1969, as amended. 42 USC 4321 *et seq.*

National Historic Preservation Act of 1966, as amended. 16 USC 470 *et seq.*

NRC 1988a. 53 FR 24018. "General Requirements for Decommissioning Nuclear Facilities." *Federal Register*, June 27, 1988. U.S. Nuclear Regulatory Commission, Washington, DC.

NRC 1988b. "Final Generic Environmental Impact Statement on Decommissioning of Nuclear Facilities." NUREG-0586. U.S. Nuclear Regulatory Commission, Washington, DC.

NRC 1996. 61 FR 39278. "Decommissioning of Nuclear Power Reactors." *Federal Register*, July 29, 1996. U.S. Nuclear Regulatory Commission, Washington, DC.

NRC 2000. "Integrated Rulemaking Plan for Nuclear Power Plant Decommissioning." SECY-00-0145, June 28, 2000. Washington, DC. Agencywide Documents Access and Management System (ADAMS) Accession No. ML003721626.

NRC 2002. "Final Generic Environmental Impact Statement on Decommissioning of Nuclear Facilities, Supplement 1, Regarding the Decommission of Nuclear Power Reactors." NUREG-0586, Volumes 1 and 2. November 2002. U.S. Nuclear Regulatory Commission, Washington, DC.

NRC 2003. "Environmental Review Guidance for Licensing Actions Associated with NMSS Programs: Final Report." NUREG-1748, U.S. Nuclear Regulatory Commission, Washington, DC.

NRC 2014a. "Staff Requirements—SECY-14-0118—*Request by Duke Energy Florida, Inc., for Exemptions from Certain Emergency Planning Requirements.*" Memorandum from A.L. Vietti-Cook to Mark A. Satorius dated December 30, 2014, U.S. Nuclear Regulatory Commission, Washington, DC. ADAMS Accession No. ML14364A111.

NRC 2015. 80 FR 72358. "Advance Notice of Proposed Rulemaking: Regulatory Improvements for Decommissioning Power Reactors," *Federal Register* November 19, 2015, U.S. Nuclear Regulatory Commission, Washington, DC.

NRC 2017a. "Regulatory Improvements for Power Reactors Transitioning to Decommissioning." Draft Regulatory Basis Document. March 2017. U.S. Nuclear Regulatory Commission, Washington, DC. ADAMS Accession No. ML17047A413.

NRC 2017b. U.S. Nuclear Regulatory Commission Public Meeting Summary. November 15, 2017. U.S. Nuclear Regulatory Commission, Washington, DC. ADAMS Accession No. ML17157B211.

NRC 2017c. "Regulatory Improvements for Power Reactors Transitioning to Decommissioning. Final Regulatory Basis Document." November 2017. U.S. Nuclear Regulatory Commission, Washington, DC. ADAMS Accession No. ML17215A010.

SUBJECT: ENVIRONMENTAL ASSESSMENT SUPPORTING PROPOSED RULE –
 REGULATORY IMPROVEMENTS FOR PRODUCTION AND UTILIZATION
 FACILITIES TRANSITIONING TO DECOMMISSIONING (RIN 3150-AJ59,
 NRC-2015-0070)
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 Commission Paper: ML18012A021; FRN: ML18012A022; Draft Regulatory Analysis: ML18012A024;
 Regulatory Guidance: ML18012A228; EA: ML18023B561 * via e-mail

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