



decommissioning plans in the Oregon Administrative Rules. The department recommended approval of the plan with certain conditions. Notice of the staff report was mailed to the Council's mailing list on January 22, 1996, pursuant to OAR 345-26-370(1)(d). The notice stated that a petition for contested case review of the decommissioning plan must be received by the department by 5:00 p.m. on February 21, 1996 and contained a statement that failure to raise an issue in a petition for contested case on the department's recommendation constitutes a waiver of that issue.

The department's notice of January 22, 1996 included notice of a public hearing on the staff report, to be held at the Rainier City Hall at 7:00 p.m. on February 13, 1996. The hearing was held jointly with the NRC, which also presented its findings on the decommissioning plan. There were no comments from the public, either at the February 13 hearing or in writing. By letter dated February 20, 1996, PGE submitted written comments on the department's recommendations, suggesting wording changes to two of the department's recommended conditions. No petition for contested case hearing was received by the department.

## **ORDER**

The Council concludes that the plan is acceptable and issues this order, approving the plan subject to the following conditions:

1. PGE shall decommission the plant in accordance with all representations made in PGE-1061, Trojan Nuclear Plant Decommissioning Plan, as updated on November 5, 1995, or as amended in accordance with the provisions of OAR 345-26-370(4) through (7).
2. In addition to the Annual Report required by OAR 345-26-380, PGE shall submit quarterly reports to the department on the actual versus projected status of the following items for decommissioning:
  - a. Occupational radiation exposure
  - b. Costs, based on the decommissioning cost estimate
  - c. Schedule of activities
3. PGE shall obtain a letter of credit in the amount and on the schedule described in the Decommissioning Plan. Not later than 60 days after the removal of the last irradiated fuel assemblies from the Spent Fuel Pool, PGE shall notify the department in writing whether the letter of credit has been established as described above.
4. Prior to Council approval of PGE plans for an Independent Spent Fuel Storage Installation ("ISFSI") and the NRC's issuance of an ISFSI license under 10 CFR 72, PGE shall take no

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action that would preclude continued use of the Trojan Spent Fuel Pool for interim spent fuel storage and amendment of the plan to SAFSTOR, as that term is defined in the U.S. Nuclear Regulatory Commission's Final Generic Environmental Impact Statement on Decommissioning Nuclear Power Plants ("NUREG 0586").

5. PGE shall provide the department with the schedule and scope of any final survey performed on the proposed ISFSI site, and shall provide the results of that survey to the Council prior to the transfer of spent fuel to the ISFSI. Transfer of spent fuel to the ISFSI shall be contingent on a finding by the Council that areas that are potentially affected by spent fuel storage and are not included in the NRC license under 10 CFR 72 have been adequately surveyed and meet the release criteria of OAR 345-26-370(2)(a) and (b).
6. PGE shall implement administrative controls to limit the amount of contaminated liquid being generated to be within the capacity of Trojan's retention facilities.
7. PGE shall consider all decommissioning records that provide the basis for selection of decommissioning alternative or that provide the basis for decisions affected in the decommissioning process as Quality Records in accordance with PGE's Quality Assurance Program.
8. PGE shall submit to the department a comprehensive safety and emergency plan for transporting radioactive waste during decommissioning. In the event that radioactive waste shipments must travel on highways in Oregon, the plan shall provide for consultation with affected counties, and shall require coordination with affected state and federal agencies with emergency responsibilities.
9. At or before the Final Survey, PGE shall take background and unbiased radiation measurements (where the term unbiased is as described in the Trojan Nuclear Plant Radiological Site Characterization Report), sufficient to characterize background and residual radiation levels to a 95% confidence level in accordance with OAR 345-01-013(3).

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Chair, Energy Facility Siting Council

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Conditions Added on October 15, 1998

10. PGE may remove and dispose of the reactor vessel and internals in one piece for transportation by barge in accordance with PGE's January 30, 1997 "Reactor Vessel and Internals Removal Plan" as updated by PGE July 9, 1998 letter JDW-014-98TF and as further updated in PGE October 15, 1998 letter VPN-064-98 to David Stewart-Smith. Representations in this plan, as updated, shall be considered commitments by PGE.
11. Representations in PGE's "Application for 10 CFR 71 Certificate of Compliance" shall be considered commitments by PGE.
12. PGE shall not take action to preclude reactor vessel internals removal by segmentation and shipment until the NRC has issued final approval of the reactor vessel package for shipping under 10 CFR 71 and the Washington Department of Health has permitted, in writing, burial of the reactor vessel package under Washington law.
13. PGE shall not take action to preclude reactor vessel internals removal by segmentation and shipment until OOE has received evidence that demonstrates reasonable assurance that U.S. Department of Transportation (USDOT) will approve the shipment under 49 CFR 173.
14. PGE shall not proceed with shipment of the reactor vessel package until OOE has issued final approval of the Transportation Safety Plan, PGE-1077, and USDOT has finally approved the shipment under 49 CFR 173.