

May 18, 1999

MEMORANDUM TO: William D. Travers  
Executive Director for Operations

William Beecher, Director  
Office of Public Affairs

Dennis K. Rathbun, Director  
Office of Congressional Affairs

FROM: Annette Vietti-Cook, Secretary /s/

SUBJECT: STAFF REQUIREMENTS - SECY-99-099 - TRANSMITTAL OF THE STAFF'S SAFETY EVALUATION OF  
DOE'S TOPICAL REPORT ON THE TRITIUM PRODUCTION CORE

This is to advise you that the Commission has not objected to the proposed issuance of the safety evaluation as NUREG-1672 and preparation of a *Federal Register* notice to announce the availability of the staff's safety evaluation related to DOE's topical report on the tritium production core.

Given the national importance of the tritium production mission, the staff should prepare for the Chairman's signature, a letter to notify the Secretary of Energy and the appropriate Congressional Committees of the SER's availability and general findings. A proposed draft is attached for the staff's consideration. OPA should prepare a press release for issuance to follow Congressional notification.

(EDO/OPA/OCA)

(SECY Suspense: 6/11/99)

Before the SER is issued, the Background discussion on page 1-2 of the SER should be revised to acknowledge the Congressional direction to DOE, NRC, and others regarding policy issue identification and resolution by adding the following insert at the end of the first paragraph of page 1-2 of the SER.

"However, it should be noted that consistent with Congressional direction in the Conference Report on H. R. 1119, the National Defense Authorization Act for Fiscal Year 1998 (House Report 105-340), the Department of Energy involved NRC in the interagency policy discussions which led to the July 1998 report to Congress on the non-proliferation implications of alternative tritium production technologies."

In addition, on page 1-3, at the end of the first full paragraph add:

.... before the conclusion of a hearing). **(See Section 4.2, Determination of No Significant Hazards Consideration).**

On pages 4-1 and 4-2, amend the last paragraph of Chapter 4 to read as follows:

Before the Commission can reach a **final** determination regarding a no significant hazards consideration on any license amendment request, the staff must complete its plant-specific review. Accordingly, a **generic** no significant hazards determination cannot be made at this time, based wholly on the TPC topical report.

**However, any licensee who submits a plant specific application for an amendment to use tritium-producing burnable absorber rods may meet the no significant hazards consideration determination (which would allow the amendment to become effective before the conclusion of a hearing), providing that no additional significant issues beyond the scope of the topical report are identified in the license amendment request.**

Attachment: [As stated](#)

cc: Chairman Jackson  
Commissioner Dicus  
Commissioner Diaz  
Commissioner McGaffigan  
Commissioner Merrifield  
OGC  
CIO  
CFO  
OIG  
Office Directors, Regions, ACRS, ACNW, ASLBP (via E-Mail)  
PDR  
DCS

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Attachment

Dear Mr. Secretary/Member of Congress :

I am pleased to inform you that the Nuclear Regulatory Commission (NRC) staff has completed another milestone in its interaction with the Department of Energy's program to produce tritium in a commercial light water reactor. The staff has issued its safety evaluation report (SER) on the Department of Energy's topical report on the tritium production core.

Many technical issues have been satisfactorily addressed in the DOE topical report, according to the staff review. The topical report and the staff's SER should prove to be useful reference documents for a licensee preparing a specific license amendment request for authorization to irradiate a full-core load of tritium-producing burnable absorber rods in a particular reactor facility. In addition, the NRC staff review has identified several plant-specific interface issues and potential technical specification changes to be addressed in the license amendment application.

The NRC intends to continue to provide focused attention to DOE's tritium production needs and intends to carry out an expeditious and thorough review of any license amendments submitted by the Tennessee Valley Authority for production of tritium in the Watts Bar and Sequoyah plants.

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[The following is a group of letters that were sent to Congress as a result of the Commission approving SECY-99-099]

May 25, 1999

The Honorable Frank Murkowski, Chairman  
Committee on Energy and Natural Resources  
United States Senate  
Washington, D.C. 20510

Dear Mr. Chairman:

I am pleased to inform you that the U.S. Nuclear Regulatory Commission (NRC) staff has completed another milestone in its interaction with the Department of Energy's (DOE) program to produce tritium in a commercial light water reactor. The staff has issued its safety evaluation report (SER) on the DOE topical report on the tritium production core.

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The NRC intends to continue to provide focused attention to DOE's tritium production needs and intends to carry out an expeditious and thorough review of any license amendments submitted by the Tennessee Valley Authority for production of tritium in the Watts Bar and Sequoyah plants.

Sincerely,

/s/ Shirley Ann Jackson

Shirley Ann Jackson

cc: Senator Jeff Bingaman

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May 25, 1999

The Honorable John Warner, Chairman  
Committee on Armed Services  
United States Senate  
Washington, D.C. 20510

Dear Mr. Chairman:

I am pleased to inform you that the U.S. Nuclear Regulatory Commission (NRC) staff has completed another milestone in its interaction with the Department of Energy's (DOE) program to produce tritium in a commercial light water reactor. The staff has issued its safety evaluation report (SER) on the DOE topical report on the tritium production core.

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tritium in the Watts Bar and Sequoyah plants.

Sincerely,  
/s/ Shirley Ann Jackson  
Shirley Ann Jackson

cc: Senator Carl Levin

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May 25, 1999

The Honorable Joe L. Barton, Chairman  
Subcommittee on Energy and Power  
Committee on Commerce  
United States House of Representatives  
Washington, D.C. 20515

Dear Mr. Chairman:

I am pleased to inform you that the U.S. Nuclear Regulatory Commission (NRC) staff has completed another milestone in its interaction with the Department of Energy's (DOE) program to produce tritium in a commercial light water reactor. The staff has issued its safety evaluation report (SER) on the DOE topical report on the tritium production core.

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Sincerely,  
/s/ Shirley Ann Jackson  
Shirley Ann Jackson

cc: Representative Ralph M. Hall

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May 25, 1999

The Honorable Pete V. Domenici, Chairman  
Subcommittee on Energy and Water Development  
Committee on Appropriations  
United States Senate  
Washington, D.C. 20510

Dear Mr. Chairman:

I am pleased to inform you that the U.S. Nuclear Regulatory Commission (NRC) staff has completed another milestone in its interaction with the Department of Energy's (DOE) program to produce tritium in a commercial light water reactor. The staff has issued its safety evaluation report (SER) on the DOE topical report on the tritium production core.

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Sincerely,  
/s/ Shirley Ann Jackson

Shirley Ann Jackson

cc: Senator Harry Reid

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May 25, 1999

The Honorable Ron Packard, Chairman  
Subcommittee on Energy and Water Development  
Committee on Appropriations  
United States House of Representatives  
Washington, D.C. 20515

Dear Mr. Chairman:

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Sincerely,

/s/ Shirley Ann Jackson

Shirley Ann Jackson

cc: Representative Peter J. Visclosky

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May 25, 1999

The Honorable Floyd Spence, Chairman  
Committee on Armed Services  
United States House of Representatives  
Washington, D.C. 20515

Dear Mr. Chairman:

I am pleased to inform you that the U.S. Nuclear Regulatory Commission (NRC) staff has completed another milestone in its interaction with the Department of Energy's (DOE) program to produce tritium in a commercial light water reactor. The staff has issued its safety evaluation report (SER) on the DOE topical report on the tritium production core.

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Sincerely,

/s/ Shirley Ann Jackson

Shirley Ann Jackson

cc: Representative Ike Skelton

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May 25, 1999

The Honorable James M. Inhofe, Chairman  
Subcommittee on Clean Air, Wetlands,  
Private Property and Nuclear Safety  
Committee on Environment and Public Works  
United States Senate  
Washington, D.C. 20510

Dear Mr. Chairman:

I am pleased to inform you that the U.S. Nuclear Regulatory Commission (NRC) staff has completed another milestone in its interaction with the Department of Energy's (DOE) program to produce tritium in a commercial light water reactor. The staff has issued its safety evaluation report (SER) on the DOE topical report on the tritium production core.

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Sincerely,

/s/ Shirley Ann Jackson

Shirley Ann Jackson

cc: Senator Bob Graham

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May 25, 1999

The Honorable Bill Richardson  
Secretary of Energy  
Washington, D.C. 20585

Dear Mr. Secretary:

I am pleased to inform you that the U.S. Nuclear Regulatory Commission (NRC) staff has completed another milestone in its interaction with the Department of Energy's (DOE) program to produce tritium in a commercial light water reactor. The staff has issued its safety evaluation report (SER) on the DOE topical report on the tritium production core.

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Sincerely,

/s/ Shirley Ann Jackson

Shirley Ann Jackson

cc: Stephen M. Sohinki

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May 25, 1999

The Honorable John Chafee, Chairman  
Committee on Environment and Public Works  
United States Senate  
Washington, D.C. 20510

Dear Mr. Chairman:

I am pleased to inform you that the U.S. Nuclear Regulatory Commission (NRC) staff has completed another milestone in its interaction with the Department of Energy's (DOE) program to produce tritium in a commercial light water reactor. The staff has issued its safety evaluation report (SER) on the DOE topical report on the tritium production core.

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Sincerely,

/s/ Shirley Ann Jackson

Shirley Ann Jackson

cc: Senator Max Baucus