Template NRR-111

March 8, 2000

MEMORANDUM TO: Susan F. Shankman, Deputy Director
Licensing and Inspection Directorate
Spent Fuel Project Office, NMSS

FROM: Chester Poslusny, Sr. Transportation Project Officer
Transportation and Storage Safety and Inspection Section
Licensing and Inspection Directorate
Spent Fuel Project Office, NMSS

ORIGINAL SIGNED BY /s/

SUBJECT: SUMMARY OF PUBLIC MEETING WITH THE NUCLEAR ENERGY INSTITUTE

On February 15, 2000, representatives of the Nuclear Regulatory Commission's (NRC's) Office of Nuclear Material Safety and Safeguards, met with the Nuclear Energy Institute (NEI) in Rockville, Maryland, to discuss NRC activities and the status of projects related to spent fuel storage, fuel cycle, decommissioning, high-level waste, and risk-informing regulations. This meeting was publically noticed on February 7, 2000. Attachment 1 is a list of attendees. Attachment 2 is the meeting agenda. The meeting was an exchange of information that is reflected in Attachments 4-7. NRC and NEI agreed that regular periodic meetings of this type would be scheduled in the future to discuss progress in addressing these topics of mutual interest.

No proprietary information was disseminated or presented at this meeting. No regulatory decisions were requested or made.

Please contact me if you wish to further discuss these issues.

Attachments:

1. Attendance List
2. Agenda
3. Spent Fuel Project Activities
4. Fuel Cycle Activities
5. - Decommissioning and Guidance
   - NRC/EPA Coordination on Decommissioning
   - High-Level Waste Activities
6. Regulatory Approaches for Control of Solid Materials
7. Probabilistic Risk Assessment of Dry Cask Storage System

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Attachment 1
Attendance List

NRC/NEI MEETING
FEBRUARY 15, 2000
ATTENDEES

NAME	ORGANIZATION	TELEPHONE
Michael Weber	NRC/NMSS/FCSS	301-415-7212
William F. Kane	NRC/NMSS	301-415-7800
Carl J. Paperiello	NRC/EDO	301-415-1705
Marty Virgilio	NRC/NMSS	301-415-7358
Wayne Hodges	NRC/NMSS/SFPO	301-415-2398
Bill Brach	NRC/NMSS/SFPO	301-415-8500
Susan F. Shankman	NRC/NMSS/SFPO	301-415-2287
Bill Reamer	NRC/NMSS	301-415-6537
Ed Rodrick	NRC/RES	301-415-5871
Stuart Treby	NRC/OGC	301-415-1644
Neil Jensen	NRC/OGC	301-415-1639
Joe Holonich	NRC/NMSS	301-415-6708
Farouk Eltawila	NRC/RES	301-415-5741
Tom King	NRC/RES	301-415-5790
Bob Pierson	NRC/NMSS/FCSS	301-415-7192
Garrett Smith	NRC/NMSS/OEDO	301-415-1724
Chet Poslusny	NRC/NMSS/SFPO	301-415-1341
Margaret Federline	NRC/RES	301-415-8003
John Greeves	NRC/NMSS	301-415-7437
Michael T. Masnik	NRC/NRR	301-415-1191
Stuart Richards	NRC/NRR	301-415-1395
Jim Lieberman	NRC/OGC	301-415-2746
Larry Camper	NRC/NMSS/DWM	301-415-7234
Cathy Haney	NRC/NMSS/IMNS	301-415-6825
Robert Wood	NRC/NRR	301-415-1255

NAME	ORGANIZATION	TELEPHONE
Paul Harris	NRC/NRR/DLPM	301-415-1169
Lynnette Hendricks	NEI	202-739-8109
R. Beedle	NEI	202-739-8088
Felix M. Kellar, Jr.	NEI	202-739-8126
Steven P. Kraft	NEI	202-739-8116
Marvin Fertel	NEI	202-739-8125
Jenny Weil	McGraw-Hill	202-383-2161
Altheia Wyche	SERCH Licensing/Bechtel	301-417-4458
Tim Sweeney	SAIC	202-479-2107
Steve Love	BNFL, Inc.	703-218-4476
Kevin Kamps	NIRS	202-328-0002

Attachment 2
Agenda

Agenda - NRC/NEI Senior Management Meeting
February 15, 2000

- Spent Fuel Project Office
  - Recap of December 17 Workshop
  - Prioritization of Issues
  - High Burnup Fuel and Burnup Credit
  - Streamlining the Cask Amendment Process
- Fuel Cycle Activities
  - New 10 CFR Part 70
    - Standard Review Plan for the new Part 70
    - Licensee Implementation Issues
  - Fuel Cycle Facility Oversight Program
    - NRC Schedule for Revising Inspection and Assessment Programs
    - Schedule for development of industry guidance documents for corrective action programs
  - MOX Fuel Fabrication Facility
  - Safeguards Activities

Agenda - NRC/NEI Senior Management Meeting February 15, 2000 (cont.)

- Decommissioning
  - Guidance and Policy Development
  - EPA Interface
  - Release of Solid Materials
- High Level Waste
  - Review of Yucca Mountain Site Recommendation Considerations Report
  - Completion of 10 CFR Part 63
- Risk Informing Regulations
  - Risk assessment for Spent Fuel Storage Casks
  - Materials Licensing

Attachment 3
Spent Fuel Project Activities

NEI/NRC SENIOR MANAGEMENT MEETING

FEBRUARY 15, 2000

SPENT FUEL PROJECT OFFICE ACTIVITIES

NRC AND INDUSTRY WORKSHOP ON DECEMBER 17, 1999

GENERIC ISSUES PANEL

- NRC AND INDUSTRY IDENTIFIED APPROXIMATELY 20 ISSUES AND THEIR RELATIVE PRIORITIES
- NEI AGREED TO COORDINATE RANKING OF THE ISSUES
- GENERAL AGREEMENT ON TOP SEVERAL ISSUES

HIGH BURNUP ROUNDTABLE

- NEI AGREED TO ESTABLISH A WORKING GROUP WITH NRC AND INDUSTRY PARTICIPATION
- PROPOSED DEVELOPMENT OF A "WHITE PAPER" TO ADDRESS THE ISSUE

BURNUP CREDIT ROUNDTABLE

- INDUSTRY NEED FOR ADDITIONAL ALLOWANCE FOR BURNUP CREDIT
- RES TO ISSUE REPORT ON BURNUP CREDIT
- STAFF TO UPDATE ISG-8

FOLLOW-UP

- NRC AND NEI AGREED TO CONDUCT FURTHER WORKING LEVEL MEETINGS

PRIORITIZATION OF ISSUES IDENTIFIED AT DECEMBER 17 WORKSHOP

NEI ISSUED LETTER ON JANUARY 6, 2000, WITH PROPOSED PRIORITIZATION

- LETTER GROUPED ISSUES INTO THREE DIFFERENT PRIORITY LEVELS

NRC AND NEI/EPRI MEETING ON 1/14/2000 ON PRIORITIZATION

- NEI EXPLAINED THE PRIORITIZATION SCHEME AS SET FORTH IN THEIR JANUARY 6, 2000, LETTER TO NRC
- PRIORITIZATION SCHEME WOULD BE DISCUSSED AT A SUBSEQUENT MEETING
- AGREEMENT ON TOP LEVEL ISSUES:
  - BURNUP CREDIT
  - HIGH BURNUP
  - LICENSE RENEWAL
  - PROCESS IMPROVEMENTS - STS, 72.48, AMENDMENT APPROVALS

HIGH BURNUP FUEL AND BURNUP CREDIT JANUARY 14, 2000, MEETING

HIGH BURNUP FUEL

- SFPO STAFF IDENTIFIED DATA NEEDS REGARDING VARIOUS CLADDING PHENOMENA
- RES PROVIDED INFORMATION ON ONGOING RESEARCH WITH LIMERICK FUEL AND NEED FOR ASSISTANCE IN OBTAINING APPROPRIATE HIGH BURNUP FUEL FROM OTHER UTILITIES FOR TESTING
- EPRI DESCRIBED ITS APPROACH TO THE ISSUE
- EPRI TO DEVELOP A "WHITE PAPER" DESCRIBING THE FRAMEWORK FOR ADDRESSING THIS ISSUE
- NRC HAS THREE APPLICATIONS FROM VENDORS (BFS, HOLTEC, NAC) FOR APPROVING HIGHER BURNUP FUEL STORAGE IN THEIR CASKS
- FOLLOW-UP MEETINGS TO BE HELD

HIGH BURNUP FUEL AND BURNUP CREDIT JANUARY 14, 2000, MEETING (CONT.)

BURNUP CREDIT (BUC)

- RES PROVIDED UPDATE ON SUPPORTING ACTIVTIES - ORNL REPORT ON NRC WEBSITE (2/14/2000)
- NEED FOR BUC FOR BWR FACILITIES TO BE DETERMINED
- OPEN QUESTION ON THE NEED FOR INCLUSION OF FISSION PRODUCT ABSORBERS IN CRITICALITY ANALYSES
- FOLLOW-UP MEETINGS TO BE HELD

STREAMLINING THE CASK AMENDMENT PROCESS
(MEETINGS ON 1/14 AND 2/8-9)

CoC AMENDMENT PROCESS

- PURSUE FURTHER IMPROVEMENTS IN EXISTING AMENDMENT PROCESS
- CLARIFY APPROACH FOR RULEMAKING FOR AMENDMENTS
- CONSIDER NEW OPTIONS FOR APPROVING AMENDMENTS WITHOUT RULEMAKING WITH PUBLIC PARTICIPATION (PARTS 50, 52, 76 AND "SHOLLY" MODELS)

NEI PROPOSED STANDARD TECHNICAL SPECIFICATIONS (STS)

- AGREEMENT IN PRINCIPAL ON:
  - GENERAL FORMAT AND CRITERIA FOR INCLUDING ITEMS IN TS
  - CONTENT OF SECTION 3-LCO APPLICABILITY
  - RELOCATIONS OF BASES FROM TS TO SAFETY ANALYSIS REPORT (SAR)
  - TS REQUIREMENTS ALREADY COVERED BY EXISTING REGULATIONS AND DESIGN FEATURES, AND SITE SPECIFIC PARAMETERS ARE CANDIDATES FOR RELOCATION OUT OF TS
- AREAS FOR FURTHER DISCUSSION
  - FUEL SPECIFICATIONS IN STS
  - RELOCATION OF TS ITEMS TO PROGRAMMATIC DESCRIPTIONS IN SAR

STREAMLINING THE CASK AMENDMENT PROCESS (CONT.)

- STS Follow-up Actions
  - NEI submittals and meetings on Fuel Specifications, Program Descriptions, and TS Covered by Existing Regulations
  - NEI Submittal of Revision to STS in fall 2000
  - Approval of STS in conjunction with Implementation of Revised 10 CFR 72.48

GUIDANCE DEVELOPMENT FOR IMPLEMENTATION OF REVISED 10 CFR 72.48

- NEI to develop Appendix to NEI 96-07 with 72.48 Implementation Guidance
- NRC to develop Regulatory Guide to Endorse NEI 96-07 and Issue NLT 4/5/2001

Attachment 4
Fuel Cycle Activities

FUEL CYCLE ACTIVITIES

- New 10 CFR Part 70
  - SRP to be published before the Commission approves the final rule
  - Schedule constrains future SRP stakeholder interaction
- Fuel Cycle Facility Oversight Program
  - NRC tentative schedule: 2/22-23, 3/27-28, 4/18-19, 5/16-17, 6/29-30, 9/26-27, 10/24-25, and 11/14-15
  - NRC seeks NEI input on Corrective Action Program
- MOX Fuel Fabrication Facility
  - MOX fuel fabrication facility draft SRP (NUREG-1718)
  - NMSS is point of contact for NRC interoffice coordination
- Safeguards Activities
  - Guidance on DBT adversary characteristics for radiological sabotage (Safeguards Information) to be provided to licensees upon release by Commission

Attachment 5

- Decommissioning and Guidance
- NRC/EPA Coordination on Decommissioning
- High-Level Waste Activities

John T. Greeves
Director

DIVISION OF WASTE MANAGEMENT
OFFICE OF NUCLEAR MATERIAL SAFETY
AND SAFEGUARDS
UNITED STATES NUCLEAR REGULATORY COMMISSION

Overview of Topics

- Decommissioning and Guidance
- NRC/EPA Coordination on Decommissioning
- High-Level Waste

Decommissioning Guidance

- Standard Review Plan
  - All draft Standard Review Plan chapters are on the Web except dose modeling under restricted conditions or alternate criteria and the dose modeling technical basis document
  - Staff accepting comments until February 2000
  - Final SRP - July 2000

Decommissioning Guidance(Continued)

- Default Screening Values
  - Concentrations of radionuclides on surfaces and in surface soil that may be used by licensees that do not wish to use the DandD Screen code
  - Published in the in the Federal Register on November 18, 1998 (63 FR 64132) for surfaces and December 7, 1999 (64 FR 68395) for surface soil
- SRP for License Termination Plans - NUREG-1700
  - Currently with the Committee to Review Generic Requirements
  - Final guidance in 4/00

SRP Workshop

- Date: February 17-18, 2000
- Time: 8:30 am - 4:30 pm (2/17) and 8:30 am - noon (2/18)
- Location: TWFN Auditorium
- Purpose: To address any questions reviewers may have to help in developing comments on the draft SRP.
- Participants: Nuclear Energy Institute, Fuel Cycle Facility Forum, Conference of Radiation Control Program Directors and non-industry stakeholders (invited)

DG-4006 - Demonstrating Compliance with the Radiological Criteria for License Termination

- NRC staff received approximately 185 from four professional organizations, one Federal agency, 3 State regulatory agencies and the Conference of Radiation Control Program Directors, and two private concerns

- In late 1999, NRC staff decided to combine the guidance in DG-4006 with the guidance in the SRP

  - Similar guidance being presented in the SRP and DG-4006
  - Consolidate guidance on decommissioning
  - Comments submitted by interested individuals on DG-4006 will be considered as the staff finalizes the SRP

Status of Rubblization

- Commission Paper to EDO
- Maine Yankee submitted an LTP application applying rubblization concept (Jan 2000)
- Maine's Attorney General issued an opinion
- OGC is developing a response to Maine Yankee's letter regarding LLW site

PSDAR Cost Estimate

- NRR is developing guidance on information to be included in cost estimate
- NRR guidance to be issued July/August 2000
- NUREG-1700 cost estimate revised to be consistent with forthcoming NRR guidance
- NUREG-1700 submitted to CRGR for review

Derived Concentration Guideline Levels(DCGLs)

- The average level of residual radioactivity at a facility, above background levels

- DCGLs are based on regulatory requirements (25 mrem/yr) and developed using default or site specific parameters

- Developed for both surfaces (dpm/100 cm) and for soil (pCi/g)

- Used by the NRC staff to:

  - determine whether the dose criteria will be met;
  - evaluate the final radiological survey design and results;
  - validate the cost estimate and adequacy of financial assurance; and,
  - prepare the Environmental Assessment.

DCGLs(continued)

- Access to DCGLs fosters public confidence that the site will meet NRC dose limits for license termination
- NRC understands industry's concerns and will continue to work with stakeholders to address the issue

NRC/EPA Coordination on Decommissioning and License Termination

- EPA, Region 1 has requested meetings at reactors sites for decommissioning issues (Maine Yankee, Yankee Rowe)
- NRC and EPA are discussing a coordination protocol for decommissioning
- DWM has lead to develop resolution

High-Level Waste -- Site Recommendation

- NWPA requires the NRC to provide "preliminary comments. . . on the extent to which the at-depth site characterization analysis and the waste form proposal. . . seem to be sufficient for inclusion" in a DOE license application.

- November 24, 1999 letter from Brocoum to Greeves proposing in teractions and documents to support the DOE site recommendation decision.

- Staff Milestones:
  - March 00 -- Brief ACNW on SR process
  - September 00 -- SR strategy to Commission

High-Level Waste -- DOE Quality Assurance

- QA is a requirement for licensing
- DOE program generally okay at identifying problems
- However, DOE has not been as effective in correcting problems and precluding recurrences
- NRC strengthening oversight of DOE QA

High-Level Waste -- Part 63

- Milestones:
  - February 99 -- Proposed rule
  - March 00 -- Draft final rule
  - Spring/Summer 00 -- Final rule (estimate)

- Defense-in-depth
  - NWPA requires multiple barriers
  - Proposed rule -- general
  - Final rule?
  - Yucca Mountain Review Plan guidance?

Attachment 6
Regulatory Approaches for Control of Solid Materials

Regulatory Approaches for Control of Solid Materials - Next Step in Decision-making Process

- Action to date Issues Paper/Public meetings
- Staff briefing of the Commission scheduled for May 2000 on:
  - Results of public meetings
  - Status of technical analyses
  - Recommendations on whether to proceed with rulemaking or other staff actions regarding release of solid materials, and the schedule for future staff actions on this effort

Issues Paper and Public meetings

- Issues Paper - for public comment in FRN (6/30/99) and on NRC's website -
  - Http://www.nrc.gov/NMSS/IMNS/controlsolids.html
- Facilitated public meetings
  - San Francisco, CA - Sept 15-16, 1999
  - Atlanta, GA - October 5-6, 1999
  - Rockville, MD (NRC headquarters) - Nov 1-2, 1999
  - Chicago, IL - December 7-8, 1999

Summary of NRC Public Meetings in San Francisco, CA, Atlanta, GA, Rockville, MD, and Chicago, IL

- Attendance at the meeting
  - Licensees and licensee organizations
  - Medical community, Health Physics Society
  - EPA, DOE State Agencies, Tribal governments
  - Scrap and recycling companies; steel manufactures
  - Sanitary waste facilities
- Citizens groups did not attend San Francisco and Atlanta meetings (although they delivered statements explaining why they did not attend) but did attend Rockville and Chicago meetings

Summary of NRC Public Meetings in San Francisco, Atlanta, Rockville, and Chicago

- Nuclear industry groups supported a national standard that is technically defensible and can be implemented
- Steel industry and scrap representatives opposed unrestricted use due to potential for contamination in products and economic disruption if consumers do not want their products
- Citizens groups opposed release of solid materials

Summary of NRC Public Meetings in San Francisco, Atlanta, Rockville, and Chicago

- Restricted use was suggested but there were concerns as to whether it could be implemented for non-licensed users
- Other alternatives suggested:
  - (a) Retain Reg. Guide 1.86;
  - (b) Adopt ANSI Standard N13.12;
  - (c) Recapture released materials;
  - (d) Segregate requirements by material type; and
  - (e) Use a dedicated smelter

Attachment 7

Probabilistic Risk Assessment of Dry Cask Storage Systems

PROBABILISTIC RISK ASSESSMENT (PRA) OF DRY CASK STORAGE SYSTEMS

- NRC SPONSORED PROJECT TO DEVELOP A METHOD FOR PERFORMING A PRA FOR SPENT FUEL DRY CASK STORAGE SYSTEMS
- NRC DRY CASK STORAGE SYSTEM "PILOT" PRA
- EXPECT RECOMMENDATIONS RE: COST BENEFITS FOR PERFORMING PRAS FOR EACH CASK DESIGN AND SITE
- SCHEDULE AND MILESTONES TO BE DEVELOPED BY 1 ST QUARTER CY2000

March 9, 2000

MEMORANDUM TO: David L. Meyer, Chief
Rules and Directives Branch
Division of Administrative Services
Office of Administration

FROM: /RA by Scott Newberry Acting for/
David B. Matthews, Director
Division of Regulatory Improvement Programs
Office of Nuclear Reactor Regulation

SUBJECT: SMALL BUSINESS REGULATORY ENFORCEMENT FAIRNESS ACT (SBREFA)

Attached is a summary description of an agency statement (regulatory issue summary) that has been identified as a rule under SBREFA. The regulatory issue summary addresses the use of risk-informed decisionmaking in license amendment reviews.

NRR has consulted with OGC (Catherine Holzle) on this matter and it is OGC's view that the proposed regulatory issue summary is a rule under SBREFA.

If there are any questions or there is a need for additional information, please contact Jim Shapaker (415-1151).

Attachment: As stated

cc: M.T. Lesar
R.L. Palla
P.C. Wen

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DATE:	March 3, 2000
AGENCY:	NUCLEAR REGULATORY COMMISSION
TITLE OF ACTION:	USE OF RISK-INFORMED DECISIONMAKING IN LICENSE AMENDMENT REVIEWS
LEVEL OF SIGNIFICANCE:	Non-major "rule"
UPCOMING ACTION:	NRC Regulatory Issue Summary
AGENCY IDENTIFICATION:	TAC No. MA7841
DATE OF ISSUANCE:	March 14, 2000
STATUTORY OR JUDICIAL DEADLINE:	None
DESCRIPTION OF ACTION:	The Nuclear Regulatory Commission (NRC) is issuing this regulatory issue summary (RIS) to all holders of operating licenses for nuclear power reactors, except those who have permanently ceased operations and have certified that fuel has been permanently removed from the reactor vessel, to advise addressees of interim staff guidance on the use of risk information in its license amendment reviews, including license amendments that are not risk-informed, and NRC staff plans for finalizing this guidance. This RIS transmits the interim staff guidance on the use of risk information in regulatory decisionmaking regarding license amendment requests. The staff will subsequently incorporate this information in internal, office-level documents which establish the process for staff review of license amendment requests. Addressees are being advised of the interim staff guidance contained in this RIS. Although including risk information in license amendment requests will help to reduce the burden on both licensees and the NRC, any action on the part of addressees to do so is strictly voluntary.
AGENCY CONTACT:	Robert L. Palla, NRR 301-415-1095