

DS09
D. Persinko

65 FR 4856
Feb. 1, 2000

From: Peter Hastings <pshastings@dukeengineering.com>
To: TWFN_DO.twf4_po(AXP1,ALB2)
Date: Mon, Mar 27, 2000 10:00 PM
Subject: Draft Report Comments: SR1718 - Draft - Standard Review Plan for the Review of an Application for a Mixed Oxide (MOX) Fuel Fabrication Facility

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Below is the result of your feedback form. It was submitted by Peter Hastings (pshastings@dukeengineering.com) on Monday, March 27, 2000 at 22:00:50

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Comments: Duke Cogema Stone & Webster, LLC (DCS), the contractor and prospective licensee responsible for the design, construction, and operation of the US Department of Energy's Mixed-Oxide (MOX) Fuel Fabrication Facility, has offered a number of comments to the proposed MOX Standard Review Plan (SRP), NUREG-1718 (draft), in an electronic mail message sent today to Andrew Persinko.

While DCS has numerous comments on the draft SRP, we are very encouraged by the extensive efforts that the NRC Staff clearly put into the development of this document. We have some significant concerns with parts of the SRP, but the extensive and detailed nature of our comments should be taken as an indication of our keen interest in coming to timely agreement with the Staff, rather than dissatisfaction with the document in general. With this goal in mind, DCS proposes a workshop between DCS and the NRC Staff to discuss these comments as soon as you have had the opportunity to review them.

DCS' primary concerns, as reflected in our detailed comments, are as follows:

> We are pleased with the efforts made in many areas of the SRP to differentiate between expectations for a construction authorization request and a possession-and-use license application. We note, however, that in many cases, the level of detail expected in support of the construction authorization request exceeds the requirements of 10 CFR 70, and goes far beyond what we perceive to be necessary for a "safety assessment of the design bases" in support of construction. Clarification of our observations and concerns in this area will allow us to continue this progress in support of our near-term submittal of a construction authorization request.

> The SRP seems to have departed from other fuel cycle facility licenses and recent efforts associated with changes to 10 CFR 70 and NUREG-1520, with respect to the level of prescriptive detail and the expectation of compliance with standards more typically and appropriately suited to commercial reactors. The presumption that MOX hazards are analogous to those of reactors, with much more significant source terms and inherent high pressure, potential motive force for dispersal, and stored thermal energy and decay heat, is unfounded. MOX guidance should be more akin to that for uranium fuel cycle facilities, with appropriate provisions for added hazards associated with plutonium.

> There is inconsistency within the SRP regarding the level of detail - for example, design basis and

plant systems information - expected to be discussed in the construction authorization request and the possession-and-use license application. Chapter 11, for example, seems to imply a great deal of discussion that DCS believes - based on past discussions regarding 10 CFR 70 - are more appropriately contained in the ISA Summary.

> There is some confusion regarding ISA guidance, and the extent to which the discussion in Appendix A of the SRP is redundant to - or conflicts with - that found in NUREG-1520. Of particular concern is the new identification of an "unlikely" likelihood threshold based on a global Commission goal, instead of dose to an individual, the historical standard for such measures. Not only is the definition of "unlikely" inconsistent within the SRP, the proposal that the "unlikely" range be extended beyond 10-2 yr-1 is inconsistent with NUREG-1520, with the definition of "unlikely" used elsewhere in the SRP, and with the generally understood meaning of the term itself.

We sincerely appreciate the NRC Staff's commitment to providing clarification of the requirements of the evolving 10 CFR 70 and associated guidance, and look forward to opportunity for continued interaction in this regard. If I can provide any additional information, please do not hesitate to contact me.

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