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USNRC

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Secretary
Attention: Rulemakings and Adjudications Staff
U. S. Nuclear Regulatory Commission
Washington, DC 20555-0001

OFFICE
OF
ADJUDICATION

**Subject: Southern California Edison Comments on Proposed Rule
Interim Storage for Greater than Class C Waste
[Docket No. PRM-72-2]**

Southern California Edison (SCE) supports the proposed rulemaking that will allow the holder of a 10 CFR Part 72 specific license to store Greater Than Class C (GTCC) waste at the licensee's Independent Spent Fuel Storage Installation (ISFSI). It is our understanding that this authority already exists pursuant to the general license established in 10 CFR 72.210, but there is no comparable provision for a specific license.

SCE is also concerned that the definition of high-level waste as set forth in 10 CFR Part 72 currently does not include GTCC waste. At the same time, NRC regulations require that GTCC waste be disposed of in a geologic repository even though it is legally defined as low-level waste. The NRC should amend its regulations to include GTCC waste in its definition of high-level waste to clear up this regulatory conflict which could inhibit use of a high-level waste repository for the disposal of GTCC waste.

SCE supports and concurs with the comments made by the Nuclear Energy Institute on behalf of the nuclear power industry. SCE's responses to the six questions asked of interested stakeholders is given in the enclosure to this letter.

Sincerely,

Enclosure

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SECY-02

**Southern California Edison Responses to Questions
Proposed Rule for Interim Storage of Greater Than Class C Waste**

In its request for public comment, the NRC asked interested stakeholders to address six questions. The following are SCE's responses to these questions.

Q1. Should the storage of certain forms of GTCC waste and spent fuel in the same cask be prohibited?

A1. No. The DOE standard contracts and storage system certificates of compliance already allow specific fuel related components to be in the same cask. Other forms of GTCC waste could be allowed based on a safety analysis. As a practical matter, it is unlikely that reactor vessel internal components would be placed in the same containers as spent fuel even if it were permissible.

Q2. Should the storage of explosive, pyrophoric, combustible, or chemically reactive GTCC waste be prohibited in either commingled or separate GTCC casks?

A2. No. These characteristics would be addressed through the safety analysis. It is highly unlikely that reactor decommissioning would have such materials in its GTCC waste.

Q3. Should the storage of GTCC that may generate or release gases via radiolytic or thermal decomposition, including flammable gases, be prohibited in either commingled or separate GTCC casks?

A3. No. These characteristics would be addressed through the safety analysis. It is highly unlikely that reactor decommissioning would have such materials in its GTCC waste.

Q4. Should the storage of solid GTCC waste that may contain free liquid (e.g. dewatered resin) be prohibited in either commingled or separate GTCC casks?

A4. No. These characteristics would be addressed through the safety analysis. It is unlikely that reactor decommissioning would have such materials in its GTCC waste. Dewatered resins from reactor plants are not GTCC wastes.

Q5. Should the storage of liquid GTCC waste be prohibited in either commingled or separate GTCC casks?

A5. No. These characteristics would be addressed through the safety analysis. It is unlikely that reactor decommissioning would have such materials in its GTCC waste.

Q6. If reactor licensees, after termination of their 10 CFR Part 50 license, elect to store reactor-related GTCC waste under the provisions of 10 CFR Parts 30/70, is additional guidance needed to provide a more efficient licensing process?

A6. No. Assuming there no longer is spent fuel on site in an ISFSI and DOE does not accept the GTCC waste for disposal at a high-level waste repository, the Part 50/72 license would have to be retained or else an agreement state license obtained for continued possession and storage. This possible dilemma will not be solved by additional guidance, but should be addressed by adopting appropriate rules such as amending the definition of high-level waste to include GTCC waste.