

September 8, 2000

Mr. Thomas C. Thompson, Director  
Licensing & Competitive Assessment  
NAC International, Inc.  
655 Engineering Drive  
Norcross, GA 30092

SUBJECT: RESPONSE TO AUGUST 16, 2000 LETTER REGARDING NRC  
REVIEW OF NAC INTERNATIONAL, INC., APPLICATIONS

Dear Mr. Thompson:

This letter is in response to your August 16, 2000, letter which provided a detailed listing of the NAC International, Inc. (NAC) current and planned storage and transport applications and their associated user need dates. Your letter describes the expectations of your customers that the Nuclear Regulatory Commission (NRC) will provide the staff resources to complete the necessary regulatory approvals to support the identified need dates.

We will schedule the NRC reviews of your planned dual-purpose applications upon receipt of the submittals. We will inform you of each NRC review schedule after it has been determined. However, it is clear that a number of your future applications will not be approved for use in time to support their associated user need dates.

As you are aware, NRC storage cask and transportation package reviews are scheduled, within our resource constraints, based on the following prioritization scheme:

Priority 1: Maintain the operational safety of spent fuel and other radioactive materials in storage and transport.

Priority 2: Maintain the operational capability at operating reactor sites (full-core off-load capability) or meet actual (identified) transportation requirement or need to support transport of nuclear material or other nuclear commerce.

Priority 3: Support dry storage and/or transportation needs of decommissioning facilities.

Priority 4: Other spent fuel storage and transportation efforts, provided these are budgeted.

Priority 5: Other spent fuel storage and transportation efforts, which are not budgeted, and no effort or resources are scheduled or planned.

After assigning the appropriate prioritization, we determine an appropriate review schedule by taking into account our existing resource restraints and the full context of the current regulatory approval processes. The typical NRC review of a moderately complex amendment application involves the following major elements: (1) acceptance review; (2) initial NRC technical review and request for additional information (RAI); (3) applicant RAI response; and (4) final NRC

technical review resulting in the issuance of a Certificate of Compliance (CoC) and Safety Evaluation Report (SER). In some instances, a second RAI may be necessary which would further add to the review time period. For 10 CFR Part 72 cask reviews under Subpart K, the CoC and SER are forwarded as preliminary regulatory determinations to initiate the rulemaking process.

While the NRC has a goal that no RAI will be necessary in its review of a new application or amendment, the NRC has typically issued at least one RAI for amendment applications. Depending on the complexity of the application, the amount of time necessary to complete a technical review, including time allocated for an applicant's RAI responses, ranges between 3 and 14 months. Also, to increase the efficiency of the process, we have routinely met with applicants to clarify our RAIs. Again, for 10 CFR Part 72 cask reviews under Subpart K, the completion of rulemaking activities will generally take between 7 (for a direct final rulemaking) and 11 (for a normal proposed rulemaking) additional months. We continue to review the entire breadth of our storage cask design approval processes to improve our efficiency.

The staff does not intend to accelerate the current NRC review schedules for your (1) NAC-MPC Connecticut Yankee amendment, (2) NAC-UMS Transport Cask application, or (3) the planned NAC-MPC Yankee Rowe amendment request, as a result of your August 16, 2000, letter. The schedules for the completion of our review of your NAC-UMS Maine Yankee amendment request and future amendment applications for the NAC-LWT transportation package will be addressed in separate correspondence.

We would be pleased to meet with NAC to discuss the NRC review prioritization scheme and the scheduling of your future applications. If you have any questions, I can be reached at (301) 415-8580.

Sincerely,  
/S/ /RA/  
Timothy J. McGinty, Project Manager  
Licensing Section  
Spent Fuel Project Office  
Office of Nuclear Material Safety  
and Safeguards

Docket Nos. 72-1015  
72-1025  
71-9270  
71-9225  
71-9235

cc: Attached List

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