

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:

SECY NOTE: TO BE MADE PUBLICLY AVAILABLE 5 BUSINESS DAYS AFTER THE
LETTERS AND REPORTS ARE DISPATCHED.

.... 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

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.