

34

Virginia Technical Center
Staff Dominion Boulevard
Glenn Allen, Virginia 23060

DOCKET NUMBER
PROPOSED RULE **PII** 71

(65FR 44360) '00 09 11 10 02 11



VIRGINIA POWER

September 28, 2000

GL00-034

Ms. Annette Vietti-Cook
Secretary
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555-0001

Attention: Rulemaking and Adjudications Staff

REQUEST FOR COMMENTS ON PROPOSED RULE REVISION TO 10CFR71

Dear Ms. Vietti-Cook:

Virginia Power appreciates the opportunity to comment on the proposed rule revision to 10 CFR Part 71: Compatibility with ST-1-The IAEA Transportation Safety Standards - and Other Transportation Safety Issues, Issues Paper, and Notice of Public Meetings, which appeared in the Federal Register, Vol. 65, No. 137, on July 17, 2000, page 44360.

We have reviewed the proposed rule revision to 10 CFR Part 71. We agree with the proposed revisions with the exceptions noted in the enclosed attachment.

If you would like further information, please contact either:

Lee Thomasson Lee_Thomasson@dom.com or (804) 273-3066 or,

Don Olson Don_Olson@dom.com or (804) 273-2830

Respectfully,

William F. Renz, Acting Manager
Nuclear Licensing and Operations Support

Attachment

Template = SECY-067

SECY-02

The following are Virginia Power's comments on Federal Register 10 CFR Part 71: Compatibility with ST-1-The IAEA Transportation Safety Standards - and Other Transportation Safety Issues, Issues Paper, and Notice of Public Meetings:

1. Issue 1. Changing Part 71 to SI Units Only

It is not recommended that 10 CFR Part 71 be revised to require SI units only. Licensee procedures and computer software would need to be changed at considerable cost throughout the industry with no safety benefit. The current policy of using both SI and metric units is acceptable.

2. Issue 2. Radionuclide Exemption Values

It is recommended that the current exemption for low-level radioactive material of 70 Bq/g (2000 pCi/g) be retained. To our knowledge, there has not been any public safety issue associated with the current exemption concentration. Implementing the radionuclide specific concentrations will require procedure and computer software changes with no safety benefit.

In the third sentence, the phrase "...to be transported as LSA-1 materials that may be transported unpackaged (in bulk)." the term bulk is equated with being unpackaged. This usage is not consistent with the 49 CFR definition for "bulk packaging" that refers to specific volume and mass ranges.

3. Issue 3. Revision of A1 and A2

It is not recommended to revise A1 and A2 values, as the proposed revision would introduce another inconsistency within the NRC regulations. GAO published a report in June 2000 titled Radiation Standards Scientific Basis Inconclusive, and EPA and NRC Disagreement Continues. Though the Report does not specifically address ICRP 61, the report serves to highlight the differences in radiation protection standards. Adoption of ICRP 61 would result in another inconsistency, not between the NRC and EPA, but within NRC regulations (e.g., 10 CFR Part 20 (ICRP 30), 10 CFR Part 50 Appendix I (ICRP 2), and proposed revision to 10 CFR Part 71 (ICRP 61)).

4. Issue 5. Introduction of Criticality Safety Index.

The CSI would have to be consistent with the Transportation Index. In general, the NRC regulations would have to be consistent, or match, the DOT regulations.

5. Issue 8. Grandfathering Previously Approved Packages

Unless significant safety issues are identified with package designs approved under the 1967 edition of IAEA regulations (SS No. 6) and the requirements in the 1973 and 1985 editions of IAEA regulations, it should not be necessary to remove these packages from service or require recertification. It is not clear what types and numbers of packages would be impacted. Depending on the types and numbers of packages impacted, there could be an impact on the ability to transport radioactive material. The responsible party for making a determination that a package is no longer certified is not clear.

6. Issue 9. Changes to Various Definitions

The existing regulation defines special form radioactive material that has been demonstrated to comply with specific tests. Paragraph 225 introduces the term "low dispersible radioactive material," but fails to provide any guidance as to what characteristics qualify the material.

7. Issue 12. Special Package Approvals

Part 71 should be revised to address large objects in general. Approvals for special packages should be risk informed based.

8. Issue 13. Expansion of Part 71 Quality Assurance Requirements to Holders of, and Applicants for, a Certificate of Compliance

We agree that regulations should be consistent for Certificate of Compliance holders and licensees.

9. Issue 15. Adoption of Changes, Tests, and Experimental Authority.

No change should be made to the existing regulations. The proposed changes would impose additional restrictions on casks while providing little if any protection to the public. As long as a cask is used for storage only, changes to the cask should not require prior NRC approval.

10. Issue 18. Contamination Limits as Applied to Spent Fuel and High Level Waste (HLW) Packages

An alternate contamination limit that results in adequate protection to both radiation workers and members of the public should be developed using risk based methodology.