

November 20, 2000

MEMORANDUM TO: Susan F. Shankman, Deputy Director  
Licensing and Inspection Directorate  
Spent Fuel Project Office, NMSS

THRU: Michael Tokar, Chief */RA/*  
Transportation and Storage Safety  
and Inspection Section  
Spent Fuel Project Office, NMSS

FROM: Chester Poslusny, Sr. Project Manager */RA/*  
Transportation and Storage Safety  
and Inspection Section  
Spent Fuel Project Office, NMSS

SUBJECT: SUMMARY OF SEPTEMBER 27, 2000, MEETING WITH  
NUCLEAR ENERGY INSTITUTE DECOMMISSIONING  
WORKING GROUP

On September 27, 2000, representatives from the U.S. Nuclear Regulatory Commission's (NRC) Office of Nuclear Material Safety and Safeguards (NMSS), Nuclear Energy Institute (NEI), and industry met in Rockville, MD, to discuss the status of regulatory issues. This meeting was noticed on September 14, 2000. Attached is a list of attendees .

The following is a summary of the key discussion points.

1. Fuel Technical Specifications (TS)

The Spent Fuel Project Office (SFPO) staff summarized the public meeting that was conducted between NEI and SFPO on September 26, 2000. At that meeting, NEI proposed new contents for the criticality TS for fuel designs and some supporting information and justification. SFPO staff will provide feedback on this proposal during the following week. Review leaders have been assigned to a number of technical areas to review the proposed NEI standard TS format and content. NEI requested that the staff provide a matrix listing the discipline review areas for each of the TS items for a typical cask design, and SFPO agreed to provide the matrix. It was agreed that the fuel criticality TS would be reviewed as a pilot format, and other TS areas will be addressed subsequently. NMSS management suggested that the certificate of compliance contents and level of detail be considered with the new TS format. This would ensure licensee/vendor flexibility to be derived by the new changes to 10 CFR 72.48 changes.

## 2. Industry Guidelines on 10 CFR 72.48 Usage

SFPO staff has reviewed and provided feedback to NEI on NEI 96-07 Appendix B. NEI 96-07 provides guidance for implementing the changes to 10 CFR 72.48 which becomes effective April 2001. NEI plans to revise Appendix B to address the staff's comments. This will precipitate preparation of an NRC regulatory guide endorsing the NEI appendix.

## 3. Processing of the NEI Petition to Streamline the Certificate of Compliance (CoC) Approval and Amendment Process

The petition working group is reviewing the 14 comments on the petition and will meet in the near future to discuss these comments. The Office of General Counsel is reviewing the regulatory basis for the existing approval and amendment process and plans to provide guidance to NMSS in November 2000. If the staff accepts the petition in part or in its entirety, the rule process to amend Part 72 would take about 2 years to complete. NEI asked if there were additional opportunities to streamline the approval process in the interim, and the staff noted that it had exhausted current means to accelerate processing but would entertain any additional suggestions or ideas from the industry.

## 4. Storage of High Burnup Fuel in Dry Casks

There are two applications in-house requesting approval for storage of fuel with burnups in excess of the existing burnup limit [Interim Staff Guidance (ISG) No. 11]. The staff noted that this is of the highest priority for the industry; yet, NEI and industry have not provided any new information or data to support the approval of storage of burnups higher than the current limit. Pending resolution of some recent industry comments, NEI has a report to submit to the staff. In November 2000, NEI plans to submit a supplemental report with additional technical input and in April 2001, a fully developed model.

Discussions were held about the shipment of H.B. Robinson spent fuel to Argonne National Laboratory for analysis of the effects of higher burnup on fuel cladding integrity and the root cause for the delay in shipping the fuel. Representatives of the Electric Power Research Institute (EPRI), responsible for the management of the research project, identified issues regarding potential modifications for the plant spent fuel pool and the availability of appropriate shipping casks. EPRI noted that progress has been made with a vendor, however, the shipment date and the shipper of record were still in question.

## 5. Burnup Credit for Spent Fuel Storage Cask Designs

SFPO staff noted that, although ISG-8 was issued over 1 year ago, no applications using burnup credit have been received. The staff is considering revising the ISG, but additional data and information from industry is needed. NEI noted the Office of Nuclear Regulatory Research (RES) meetings with representatives from the industry and key technical experts, referred to as the Phenomena Identification and Ranking Tables (PIRT) Process, were less than satisfactory and have resulted in identifying more, rather than fewer, issues for resolution. It should be noted that NRC is sponsoring benchmarking and experiments, but industry is reluctant to participate as co-sponsors.

6. Probabilistic Risk Assessment (PRA) for Dry Spent Fuel Storage Cask System

SFPO is developing a PRA in-house with support from RES. Plans include completing a scoping PRA by mid-2001 and upgrading the safety goal and risk-informed initiatives. EPRI plans a complementary effort in calendar year 2001 and will coordinate with NRC. It was noted that discussions on the ASME standard for leak testing and leak tightness are needed and that the sensitivity of existing ISGs relative to PRA results need to be reviewed.

7. NRC/U.S. Environmental Protection Agency (EPA) Memorandum of Understanding (MOU)

The staff noted that, at the request of Congress, NRC and EPA have initiated worked on a new MOU on site cleanup authority. The MOU will clarify EPA's involvement with NRC regulated sites, and define when NRC should consult with EPA on site cleanup and release. Meetings are continuing between the two agencies, with some progress being made.

8. Issues for Next Meeting (Tentative Date November 29, 2000)

Big Rock Point proposal for site cleanup and handling of material  
NRR actions on Big Rock Point  
Status of NRC/EPA MOU  
High Burnup  
PRA Activities (NRC/Industry)  
Burnup Credit Data Development  
H.B. Robinson Shipment Status  
CoC Approval/Amendment Petition Status  
Rulemaking Template (Website Status)

No regulatory decisions were requested or made during the meeting. Please contact me if you have any questions about this meeting.

Attachment: Attendance List

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\*see previous concurrence

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<b>OFC:</b>	SFPO		SFPO		SFPO					
<b>NAME:</b>	CPoslusny;jh*		VTharpe		MTokar					
<b>DATE:</b>	11/07/00		11/13/00		11/20/00					

**OFFICIAL RECORD COPY**

**Attachment 1**  
Attendance List

**NRC/NEI DECOMMISSIONING MEETING**  
**September 27, 2000**

**ATTENDANCE LIST**

<b><u>NAME</u></b>	<b><u>ORGANIZATION</u></b>	<b><u>PHONE</u></b>
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Lynette Hendricks	NEI	(202) 739-8109
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Mark Cunningham	NRC/RES	(301) 415-6189
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