



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

72-22

March 11, 1998

MEMORANDUM TO: Charles J. Haughney, Acting Director
Spent Fuel Project Office
Office of Nuclear Material Safety
and Safeguards

FROM: Mark S. Delligatti, Senior Project Manager
Spent Fuel Licensing Section
Spent Fuel Project Office
Office of Nuclear Material Safety
and Safeguards

SUBJECT: SUMMARY OF THE MARCH 2, 1998, MEETING BETWEEN
NUCLEAR REGULATORY COMMISSION STAFF AND
PRIVATE FUEL STORAGE, L.L.C.

Staff from the Nuclear Regulatory Commission met with representatives of Private Fuel Storage, L.L.C. (PFS), at NRC Headquarters in Rockville, Maryland on March 2, 1998. The purpose of this meeting was to discuss PFS's scheduler concerns regarding the staff's review of the PFS application for a license to construct and operate an away-from-reactor independent spent fuel storage installation (ISFSI) on the reservation of the Skull Valley Band of Goshute Indians in Skull Valley, Utah. Representatives of the Office of Congressional Affairs; Ibex; McGraw-Hill; Harmon, Curran, Spielberg, & Eisenberg; the Nuclear Energy Institute; NUS Information Services; Washington Nuclear; Westinghouse; Booz-Allen; and a member of Representative Merrill Cook's office also attended the meeting. Attachment 1 is a copy of the attendance list. Attachment 2 contains the slides used by the NRC staff in its presentation. The meeting was noticed on February 17, 1998.

PFS expressed concern regarding the staff's review schedule, as it relates to PFS's schedule, and to possible completion of review and licensing activities. Among PFS's primary concerns are the time that it will take for the staff to complete its first request for additional information (RAI) and the delay in completing the placement of a contract for assistance to the staff in preparing the environmental impact statement (EIS) for PFS. The staff indicated that, as currently scheduled, the first RAI will be provided to PFS by late March or early April. The staff noted that the contractual issues are near resolution and that the contract should be signed in the very near term. However, the staff determined that, regardless of the delay, the EIS completion is not the limiting factor in completing the licensing process.

In its presentation, the staff discussed the factors that go into scheduling and completing a review in optimum time. The staff described both an optimum schedule and a schedule based on the occurrence of certain contingencies which it believes are credible. It was noted during the meeting that the schedules (included in Attachment 2) do not take into consideration potential hearings or litigation.

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PFS expressed a concern regarding the staff's determination that the PFS license could not be issued in advance of the staff's completion of the certification of the Holtec HI-STORM dual-purpose cask system for inclusion in the list of casks approved for usage under the general licensing provisions of 10 CFR Part 72. The staff stated its belief that this approach is the most expeditious for timely completion of the PFS licensing process. Since a cask certified under the general licensing provisions of 10 CFR Part 72 goes through rulemaking, issues considered and resolved during that rulemaking are excluded from reconsideration during any hearings held for a subsequent ISFSI licensing process. Furthermore, the staff noted that PFS referenced specific, now outdated, versions of the Holtec and Sierra Nuclear cask systems in its license application (LA). In earlier discussions, the staff believed it had reached agreement with PFS that the staff's approach would obviate the need for PFS to regularly update its license application with regard to the evolution of the cask systems referenced. Rather, PFS would await certification of each cask system and then update the PFS LA and safety analysis report to reflect the version described in the certificate of compliance and the final Safety Evaluation Report. The staff requested that PFS consider how it wished to proceed, and report back to the staff, since PFS's preference, as stated in the meeting, would mean further reconsideration of and revision to the overall review schedule. PFS agreed to consider the staff's position and report back to the staff with regard to its preference.

During the meeting, the staff also noted that prioritization of staff activities always considers health and safety first but that other factors impact scheduling of individual reviews. These factors include the needs of operating facilities. Therefore, the staff requested that PFS provide it with a list of the operational requirements of its member utilities for dry cask storage and projected dates of loss of full core reserve off-load capabilities. PFS agreed to provide this information to the staff.

No proprietary information was disseminated or presented at this meeting. No regulatory decisions were requested or made.

Please let me know if you require any further information or wish to further discuss this meeting summary.

Docket 72-22

- Attachments: 1. Attendance List
- 2. NRC Presentation Slides

cc: PFS Service Lists

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SDroggittis, OSP	SGagner, OPA	NRC Attendees		

OFC	SFPO	E	SFPO	E	SFPO	E			
NAME	MSDelligatti:dd		VLHarpe		EJLeeds				
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**Attendance List
NRC/Private Fuel Storage, LLC Meeting to Discuss
Scheduler Concerns Regarding License Application Review**

<u>NAME</u>	<u>ORGANIZATION</u>	<u>PHONE NUMBER</u>
Mark S. Delligatti	NRC NMSS/SFPO	(301) 415-8518
Eric J. Leeds	NRC NMSS/SFPO	(301) 415-8540
Carl J. Paperiello	NRC NMSS/SFPO	(301) 415-7800
William F. Kane	NRC NMSS/SFPO	(301) 415-7358
Fritz C. Sturz	NRC NMSS/SFPO	(301) 415-8530
Marissa Bailey	NRC NMSS/SFPO	(301) 415-8531
Edward Shum	NRC NMSS/SFPO	(301) 415-8545
Steve Hogsett	NRC NMSS/SFPO	(301) 415-8537
Sherwin Turk	NRC OGC	(301) 415-1575
Catherine Marco	NRC OGC	(301) 415-3052
Tom Madden	NRC OCA	(301) 415-1776
John Parkyn	Private Fuel Storage	(608) 787-1236
Rita Bowser	Westinghouse	(202) 945-6458
Frank Vlossak	Rep. Cook's office	(202) 225-3011
Jay Silberg	Shaw, Pittman (PFS)	(202) 663-8063
Eileen B. Smith	Harmon, Curran	(202) 328-3500
Ralph Andersen	NEI	(202) 739-8111
Jerry Dozier	NUS	(301) 468-6425
Maureen Conley	Washington Nuclear	(301) 270-4495
Tim Smith	Government Strategies	(703) 716-4846
Jenny Weil	McGraw-Hill	(202) 383-2161
Robert E. Sweeney	IBEX Group	(703) 525-7502
James Doman	Booz-Allen (DOE)	(202) 484-8356

Schedular Considerations for the NRC Staff Review of the PFS Application



The Spent Fuel Project Office
Office of Nuclear Material Safety and Safeguards
March 2, 1998

RANGE OF POTENTIAL COMPLETION DATES

- ▶ Dec 2000-Earliest possible completion date
- ▶ Dec 2002-Completion date considering likely contingencies
- ▶ Likely actual completion date is somewhere in between the two.

ASSUMPTIONS-OPTIMISTIC SCHEDULE

- ▶ Optimum performance by cask vendors
- ▶ Timely responses from PFS and cask vendors
- ▶ Availability of reviewers
- ▶ 2 PFS RAIs
- ▶ 1 HISTORM RAI
- ▶ Timely completion of EIS
- ▶ TranStor cask system completion schedule not considered

HOLTEC/PFS OPTIMISTIC IINTEGRATED SCHEDULE*

*This does not account for hearings and litigation

- ▶ Mar 98-Issue first PFS RAI
- ▶ May 98-Issue third HISTAR RAI
- ▶ Jul 98-PFS response to RAI
- ▶ Sep 98-Holtec response to RAI
- ▶ Nov 98-Issue second PFS RAI
- ▶ Jan 99-Draft HISTAR SER/Begin HISTORM Rev.
- ▶ Mar 99-PFS response to second RAI
- ▶ Apr 99-Issue first HISTORM RAI
- ▶ Jul 99-complete PFS review w/o cask
- ▶ Aug 99-Holtec response to HISTORM RAI
- ▶ Oct 99-Issue Draft HISTORM SER
- ▶ Mar 00-complete EIS
- ▶ Oct 00-COC/rulemaking complete for HISTORM
- ▶ Dec 00-Issue PFS license

ASSUMPTIONS CONTINGENCY-BASED INTEGRATED SCHEDULE

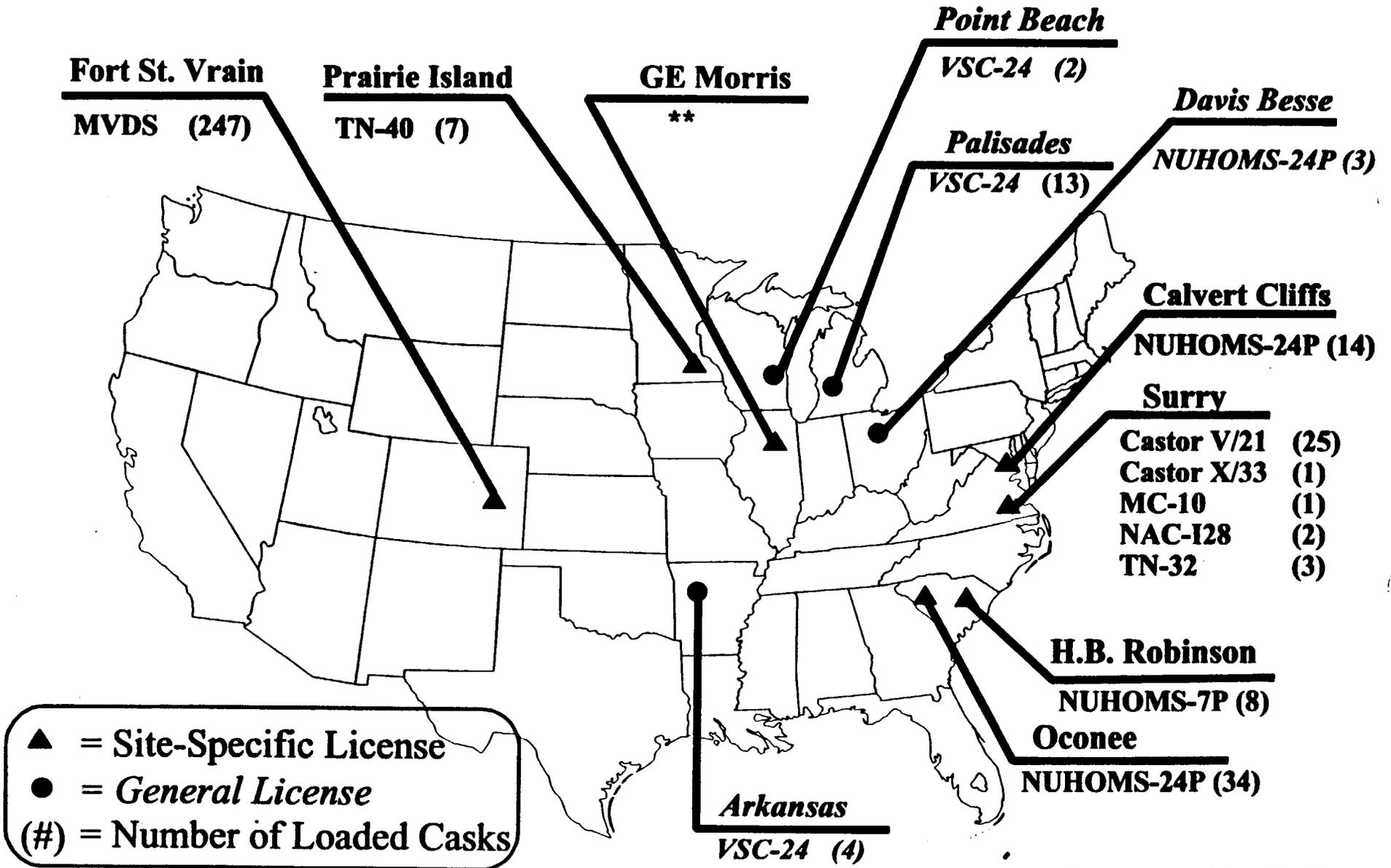
- ▶ Cask vendors require additional response time
- ▶ Third RAI required for PFS SAR review
- ▶ Multiple RAIs required for HISTORM review
- ▶ Any combination of the above or other contingencies limit the availability of the reviewers
- ▶ More realistic time allowance for rulemaking process
- ▶ TranStor cask system completion schedule not considered

**HOLTEC/PFS
CONGTINGENCY BASED
INTEGRATED SCHEDULE***

***This does not account for hearings and litigation**

- ▶ Apr 98-Issue first PFS RAI
- ▶ Jun 98-Issue third HISTAR RAI
- ▶ Aug 98-PFS response to RAI
- ▶ Oct 98-Holtec response to RAI
- ▶ Dec 98-Issue second PFS RAI
- ▶ Feb 99-Draft HISTAR SER/Begin HISTORM Rev.
- ▶ Apr 99-PFS response to second RAI
- ▶ Jun 99-Issue first HISTORM RAI
- ▶ Aug 99-Issue third PFS RAI
- ▶ Oct 99-Complete PFS review w/o cask
- ▶ Nov 99-Holtec response to first HISTORM RAI
- ▶ Mar 99-Issue second HISTORM RAI
- ▶ Mar 00-complete EIS
- ▶ Aug 00-Holtec response to second HISTORM RAI
- ▶ Dec 00- Issue Draft HISTORM SER
- ▶ Jul 02-coc/rulemaking complete for HISTORM
- ▶ Dec 02-Issue PFS license

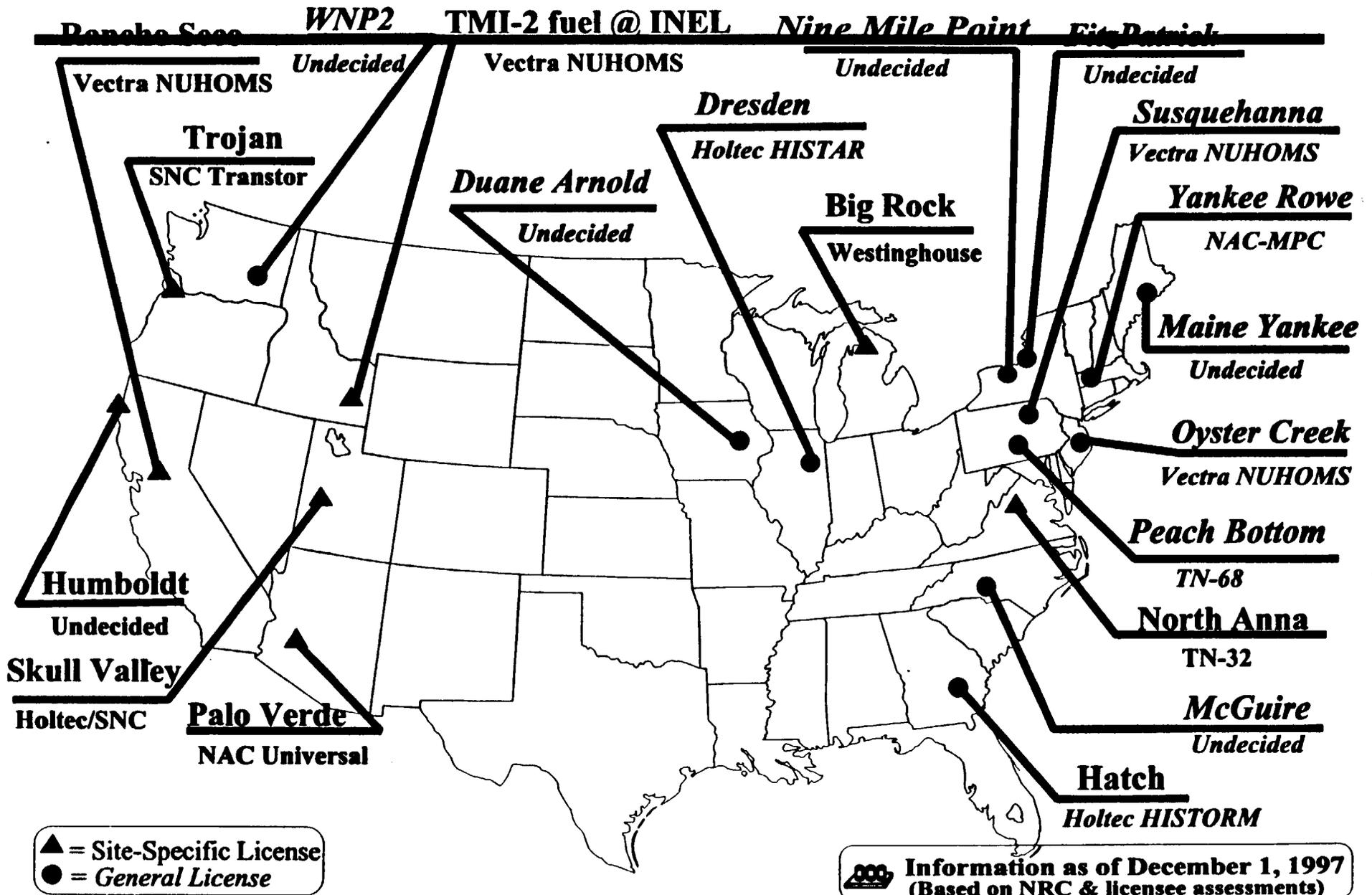
Operating ISFSI Sites



** GE Morris uses wet storage

~~000~~ Data as of August 12, 1997

Potential Near-Term, New ISFSI Sites



Schedule Killers

- ▶ Incomplete / Partial Responses
- ▶ Insufficient Level of Detail
[If in Doubt → Submit it]
- ▶ Pushing Design Envelope
- ▶ Poor Quality of Submittals
- ▶ Delayed Responses to RAIs

Private Fuel Storage

cc:

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Chairman of the Board
Private Fuel Storage, L.L.C.
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La Crosse, WI 54602-4010

Mr. Scott Northard
Project Manager
Private Fuel Storage, L.L.C.
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Minneapolis, MN 55401

The Honorable Michael O. Leavitt
Governor of Utah
Salt Lake City, UT 84114-0601

Mr. Leon D. Bear, Chairman
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