



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

72-22

January 27, 1999

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

FROM: Mark S. Delligatti, Senior Project Manager
Spent Fuel Licensing Section
Licensing and Inspection Directorate
Spent Fuel Project Office, NMSS

SUBJECT: SUMMARY OF THE JANUARY 6-7, 1999, MEETING
BETWEEN THE NUCLEAR REGULATORY COMMISSION
AND PRIVATE FUEL STORAGE, LIMITED LIABILITY
CORPORATION

Mark Delligatti

On January 6-7, 1999, a meeting was held between the Nuclear Regulatory Commission (NRC) staff and representatives of Private Fuel Storage, Limited Liability Corporation (PFS) to discuss the staff's second request for additional information (RAI) on the site-related portions of the PFS Safety Analysis Report (SAR) and the first environmental RAI. Also attending the meeting were representatives of the Center for Nuclear Waste Regulatory Analyses, the staff's technical assistance contractor for the safety evaluation, and representatives of Oak Ridge National Laboratory, the staff's technical assistance contractor for development of the staff's environmental impact statement (EIS). In addition, representatives of Shaw Pittman, Stone and Webster, Winston and Strawn, GSI, Harmon Curran, McGraw-Hill, and BNFL-Fuel Solutions also attended either one or both days of the meeting. Attendance lists for each day are included as Attachments 1 and 2. Representatives of the Skull Valley Band of Goshute Indians participated via teleconference on the second day of the meeting. This meeting was noticed on December 22, 1998.

On January 6, 1999, the staff provided clarification for several of the items identified in the second site-safety RAI. The staff explained its RAI regarding the potential intermodal transfer points which have been described in the SAR. The staff explained the NRC position regarding responsibility for licensing and certification of various transportation activities and explained that PFS must clearly delineate its plans regarding the shipment and receipt of spent fuel. Another area of discussion was the need for PFS to provide an appropriate level of detail regarding its Emergency Plan. The staff recognized that some detail would not be expected until closer to the actual time of licensing. However, clearly delineated plans and appropriate levels of detail are important for the staff to be able to make a determination of compliance with the applicable regulatory requirements.

On January 7, 1999, the staff provided clarification for a number of the items in the first environmental RAI. The staff explained that its EIS was a document in which the staff's own conclusions are to be reached on the basis of information it gathers, particularly information from the applicant's Environmental Report (ER). The staff does not rely on conclusions reached

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by the applicant. Rather, the staff reaches its own conclusions. A concern expressed by PFS dealt with the size of the region for which the staff requested data regarding several transportation-related items. The staff explained that this area must include the points at which transportation corridors merge near the proposed facility. The staff agreed to provide a specific definition, if appropriate, later. Questions were raised regarding the appropriate level of personal information required about individual members of the Skull Valley Band of Goshute Indians and their lifestyle, health, etc. The staff agreed that this was an area where appropriate sensitivity to the privacy of the member of the Skull Valley Band was extremely important. The staff stated that, if requested, it would work directly with representatives of the Tribal government in this regard.

In the course of the meetings, the staff reiterated that to maintain currently proposed schedules for completion of the site SER and the EIS, it was necessary to receive complete high-quality responses to all outstanding RAIs on time. If the applicant cannot meet these dates, the applicant must inform the staff in writing as early as possible.

During this meeting, no regulatory decisions were requested or made.

If you would like to discuss this meeting summary further, I will be happy to do so.

- Attachments: 1. Attendance List for 1/6/99
2. Attendance List for 1/7/99

Docket No: 72-22

cc: Service Lists

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Private Fuel Storage

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The Honorable Michael O. Leavitt
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