

February 13, 2001

ORGANIZATION: Nuclear Energy Institute

SUBJECT: SUMMARY OF PUBLIC MEETING WITH THE NUCLEAR ENERGY INSTITUTE (NEI) AND THE PUBLIC REGARDING POWER REACTOR DECOMMISSIONING RULEMAKING ISSUES

On February 6, 2001, U.S. Nuclear Regulatory Commission (NRC) staff met with representatives of NEI and members of the public to discuss recent information provided to the NRC by NEI in a letter dated January 10, 2001 (available in ADAMS; ML010110343). The information related to the NRC's Technical Study on Spent Fuel Pool Accident Risk at Decommissioning Power Plants. The NEI letter contained an evaluation of a proposed accident progression and ruthenium release scenario for postulated spent fuel pool events. The meeting agenda is provided as Enclosure 1. A list of attendees is provided as Enclosure 2.

NRC began the meeting by providing a brief history of the Technical Study on Spent Fuel Pool Accident Risk at Decommissioning Power Plants. The project began in 1999 and the study was published twice for public comment. The latest version of the study was released to the public on January 17, 2001 (available in ADAMS; Report ML010160527, Appendices ML010160532).

Next, NEI discussed an overview of its January 10, 2001, letter and its implications on the risk study (NEI handout available in ADAMS; ML010380023). NEI presented its conclusions regarding the risk study, which included: (1) ruthenium release consequences were overstated, (2) design differences between boiling water reactor and pressurized water reactor fuel designs were not adequately represented (e.g., zirconium amounts in fuel cladding), and (3) experimental information related to the possible damage resulting from postulated cask drop events was not referenced and used. NEI made the following recommendations concerning the risk study: (1) complete the report prior to applying results (addressing in part the items discussed above), (2) conduct a formal peer review of the risk study, and (3) apply the risk study to a test case regulation (e.g., maintenance rule).

NRC acknowledged that uncertainties of given parameters in the report could be fine tuned by further studies. However, the NRC noted that the work done characterized the risk as below the Commission's safety goals; therefore, further work was not warranted.

NEI and members of the public were given an opportunity to ask questions and make comments. Mr. David Lochbaum and Mr. Peter J. Atherton made comments related to the risk study and the associated planned rulemaking activities. Mr. Lochbaum's comments were related to the industry commitments included in the study, physical security, and a recommendation to regulate the spent nuclear fuel at decommissioning power reactors under the provisions of Title 10, Part 72, of the Code of Federal Regulations, applicable to independent spent fuel storage installations. Mr. Atherton's comments were associated with

the use of probabilistic risk assessments and the seismic checklist in the risk study. Following discussions regarding the comments, the meeting was concluded.

*/RA/*

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Office of Nuclear Reactor Regulation

Project No. 689

Enclosures: 1. Agenda  
2. Attendees

cc w/encls: See next page

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**/RA/**

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cc w/encls: See next page

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CTinkler	JSchaperow	

ACCESSION NOs.: Notice: ML010250423      PKG: ML010250437  
Summary: ML010440106      NRC-001      \*SEE PREVIOUS CONCURRENCE

OFFICE	PDIV-D/PM	PDIV-D/LA	DSSA*	PDIV-D/SC
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DATE	02/12/01	02/12/01	02/09/01	02/12/01

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## NEI/Public Meeting on Decommissioning Rulemaking

February 6, 2001

**Purpose:** To discuss recent information that may affect the NRC's Technical Study on Spent Fuel Pool Accident Risk at Decommissioning Power Plants contained in an evaluation of a proposed accident progression and ruthenium release scenario which was provided to the NRC by the Nuclear Energy Institute in a report dated January 10, 2001 (available in ADAMS; ML010110343)

**Outcome:** Industry will present its view on the above topic to the NRC and public stakeholders will provide their comments or questions

**Process:**

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|--|--------|
| 1. Introductions and review of purpose/agenda (NRC)                    | 15 min |
| 2. Overview of the 1/10 letter on the spent fuel pool risk study (NEI) | 30 min |
| 3. Implications of 1/10 letter on the spent fuel pool risk study (NEI) | 30 min |
| 4. NRC/public stakeholder comments/questions                           | 30 min |
| 5. Closing remarks, summary of commitments / Adjourn                   | 15 min |

DECOMMISSIONING RULEMAKING MEETING

February 6, 2001  
NRC Headquarters  
Rockville, MD

ATTENDEES

<u>NAME</u>	<u>ORGANIZATION</u>
Brian Sheron	NRC/NRR
Gary Holahan	NRC/NRR/DSSA
Tim Collins	NRC/NRR/DSSA
Stuart Richards	NRC/NRR/DLPM
George Hubbard	NRC/NRR/DSSA
Richard Dudley	NRC/NRR/DLPM
Bill Huffman	NRC/NRR/DLPM
Dave Wrona	NRC/NRR/DLPM
Noel Dudley	NRC/NRR/IOLB
Joseph Staudenmeier	NRC/NRR/SRXB
George Mencinsky	NRC/NRR
Diane Jackson	NRC/NRR/SPLB
Ralph Caruso	NRC/NRR/SRXB
Glenn Kelly	NRC/NRR
Cindi Carpenter	NRC/NRR
Med El-Zeftawy	NRC/ACRS
Stephen H. Lewis	NRC/OGC
Joe Shea	NRC/OEDO
Charles Tinkler	NRC/RES
Jason Schaperow	NRC/RES
Farouk Eltawila	NRC/RES/DSARE
David Diec	NRC
O. C. Payne	FEMA
Michael Callahan	GSI
Altheia Wyche	SERCH Licensing/Bechtel
Jenny Weil	McGraw-Hill
Jean Liaw	W&S
Deann Raleigh	LIS, Scientech
Roger Huston	Licensing Support Services
Dave Lochbaum	Union of Concerned Scientists
Peter J. Atherton	Nuc Saf Consul - Public
Lynette Hendricks	NEI
Alan Nelson	NEI
Paul H. Genoa	NEI
Mike Meisner	MYAPC
A. Scott Dam	BNFL
Michael D. Cavanaugh	Connecticut Yankee
Bob Henry	FAI
Jim Reilly	SCE

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