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U.S. Nuclear Regulatory Commission  
Rules and Directives Branch  
Office of Administration  
Washington, DC 20555-0001

Subject: Comments on Draft NRC Regulatory Guide DG-3020

Dear Sir:

Holtec International is a holder of two Certificates of Compliance (CoC) for dry spent fuel storage cask systems under 10 CFR 72. We have participated in the development of, and endorse the industry comments on draft Regulatory Guide DG-3020 submitted through the Nuclear Energy Institute (NEI). With NEI's concurrence, we are submitting one additional comment on DG-3020 for your consideration, as described below.

**Comment on Proposed Regulatory Position 1.1:**

Holtec believes that additional clarification is required in the Regulatory Guide regarding the interpretation of 10 CFR 72.48(c)(2)(viii) (...departure from a method of evaluation described in the FSAR...). Specifically, a better definition of "method of evaluation" is necessary to ensure proper implementation of the regulation by licensees and certificate holders, and consistent enforcement by NRC inspectors. Unlike 10 CFR Part 50, where the use of topical reports for methodology approvals has a long history, this is new territory for Part 72. We believe Part 72 safety analysis activities require more specific guidance in this area than exists for 10 CFR 50.59.

The term methodology should be defined at a high level to ensure the true intent of the regulation is understood. We believe the NRC would only want to review and approve changes to fundamental methodological approaches as described in the UFSAR as opposed to changes in implementation of a particular approach, even if that implementation is described in the UFSAR. For example, in structural analysis, time-history and response spectrum are two different methodological approaches to solve a structural problem. Changing from the time-history approach to the response spectrum approach would be a departure from a previously approved methodology and would require prior NRC review and approval before implementation.

However, there are several ways (e.g., using different computer codes) that a given approach (e.g., response spectrum analysis) can be carried out for a structure. Changing the specific model from one

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to another using a generally recognized response spectrum solution procedure should not be construed to be a departure from a previously approved methodology.

The authorization of the use of new computer codes or other analysis techniques would be controlled by the appropriate organization's quality assurance program and subject to audits and inspections. It is incumbent upon the analysts to determine whether the new computer code or technique is applicable for solving the problem at hand. Within this structure, the remaining guidance for responding to question 72.48(c)(2)(viii) would be implemented.

If you have any questions or require additional information, please contact me at (856) 797-0900, extension 668.

Sincerely,

Brian Gutherman, P.E.  
Licensing Manager

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Cc: Mr. Christopher Jackson