

Dear Mr. Lochbaum,

Thank you for your letter dated March 15, 2000, regarding the draft final technical study on spent fuel pool risk at decommissioning nuclear power plants. Your comments on our study and on the Nuclear Regulatory Commission's (NRC) responsiveness to the public are appreciated. In the letter you stated that we did not consider your comments in the draft final report that you provided during the Decommissioning workshop, particularly on worker safety. While we did not have an explicit section in the report to discuss worker safety, we did consider your comments in our continuing work after the workshop. As you know, we performed additional risk assessment work on human reliability. In the reassessment, we considered that plant personnel would perform actions that would be reasonable and consistent with regulations that limit worker dose. Industry commitments also addressed worker safety. Several commitments specify that procedures and plans be in place that would assist in the early identification and remediation of a decrease in spent fuel pool level. Additionally, industry commitment Number 8 explicitly calls for remote alignment capability for spent fuel pool make-up without requiring worker entry to the pool floor. These plans and procedures and the design characteristic protect workers in the event of a large loss of inventory.

Further, regulations that govern radiological safety for workers during operation, such as 10 CFR Part 20 and ALARA (which requires worker radiation dose to be As Low As Reasonably Achievable), remain unchanged during decommissioning. These regulations continue to protect workers at permanently shutdown power plants.

It was an oversight that this was not discussed with the other stakeholder concerns in the draft final report. It will be corrected in the final report.

You also asked what would be done for operating plants and current decommissioning plants that do not have the design and operational characteristics discussed in the report. Our assessment examined important characteristics related to an exemption request to certain regulations and was based on staffing and systems found in a decommissioning plant. For an operating or decommissioning plant not requesting particular exemptions, the characteristics identified in the report are not necessary. Current decommissioning plants that have been granted exemptions to regulations do not rely on the design and operational characteristics identified in our assessment. If a licensee chose to demonstrate that their plant is within the framework of our study when requesting an exemption, then the design and operational characteristics would have to be adopted.

We believe that your involvement helps to improve our products so that we can maintain nuclear safety and enhance public confidence. We welcome and appreciate your comments. We plan to include your comments in the final report.

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