



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
REGION IV  
611 RYAN PLAZA DRIVE, SUITE 400  
ARLINGTON, TEXAS 76011-4005

June 28, 2005

Mr. A. David Rossin  
Chairman, Diablo Canyon  
Independent Safety Committee  
c/o Mr. Robert R. Wellington  
Office of Legal Counsel  
857 Cass Street, Suite D  
Monterey, CA 93940

Dear Mr. Rossin:

I am responding to your letter to Mr. Victor Dricks, U.S. Nuclear Regulatory Commission (NRC), dated May 20, 2005. Your letter conveyed a comment from a member of the public regarding the terminology used to describe the dry storage of spent nuclear fuel at the Diablo Canyon nuclear power plant in San Luis Obispo, California.

In your letter, you stated that during a public meeting held by the Diablo Canyon Independent Safety Committee, Ms. Henriette Groote expressed objection to the use of the term "Independent Spent Fuel Storage Installation" and the acronym "ISFSI". You stated that, in Ms. Groote's opinion, those terms fail to convey the serious dangers and potential consequences associated with storing highly radioactive nuclear waste materials on site at Diablo Canyon. She further requested that your Committee consider recommending to Pacific Gas and Electric Company and to the NRC that the facility be renamed with a more accurate and descriptive name. Ms. Groote also raised this point during the NRC's annual end-of-cycle meeting on June 7, 2005.

The NRC understands the sensitive nature of the issues surrounding the onsite storage of spent nuclear fuel at reactor sites. It is our continuing goal to be accurate and open in communicating with the public and other stakeholders regarding the regulation of nuclear materials and the safe storage of spent nuclear fuel. In our efforts to improve the effectiveness of our communications, we have conducted more frequent public meetings and met periodically with local officials in the vicinity of Diablo Canyon. Throughout these interactions, the NRC has accurately conveyed the risks and potential hazards of spent fuel storage. The NRC website, at <http://www.nrc.gov/waste/spent-fuel-storage.html>, is one source of further information on the subject. The information describing high-level waste at <http://www.nrc.gov/waste.html> clearly describes some of the potential hazards of spent fuel.

The term Independent Spent Fuel Storage Installation or ISFSI is defined in 10 CFR 72, in part, as a complex designed and constructed for the interim storage of spent nuclear fuel. A copy of the applicable portion of 10 CFR Part 72.3, Definitions, is enclosed. A review of NUREG-0587, Analysis of Comments on 10 CFR Part 72, published in November 1980 and the Statements of Consideration, for Part 72, identified that the term "independent" may be a free-standing away-from-reactor, fully independent type facility or it may be located on a site of an existing

facility such as a nuclear power plant. This definition is appropriate as its purpose is to convey what the facility does (i.e., stores spent nuclear fuel) and not to convey a description of the hazard that is conveyed by other means discussed in this letter. As you pointed out in your letter, the terms "Independent Spent Fuel Storage Installation" and the acronym "ISFSI" are extensively cited in 10 CFR Part 72 of our regulations. Based on the facts: (1) these standard terms for describing facilities of this type are used throughout the industry and (2) it is not reasonable to expect a title or term like this to convey a description of the hazard, we conclude it would not be an efficient use of NRC resources to change the term at this point.

Thank you for your input and for providing this concern to us. As you are aware, the NRC has a formal process if someone desires to change our regulations as described at our website, at <http://www.nrc.gov/what-we-do/regulatory/rulemaking/petition-rule.html>. We did not view your letter as a formal request for this change. If you have a question or desire to discuss further, please contact Len Wert of my staff at (817) 860-8106.

Sincerely,

*/RA/*

Bruce S. Mallett  
Regional Administrator

Docket Nos. 72-26  
50-275  
50-323

License Nos.: DPR-80  
DPR-82

Enclosure: As stated

A. David Rossin

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bcc w/enclosure:

TPGwynn  
ATHowell  
WBJones  
JRHall  
VLDricks  
RA File  
LDWert

SISP Review Completed: \_\_\_LW\_\_\_ ADAMS:  Yes  No Initials: \_\_\_LW\_\_\_  
 Publicly Available  Non-Publicly Available  Sensitive  Non-Sensitive

DOCUMENT NAME: s:\ras\Response to DCISC ltr.wpd

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LDWert	VLDricks	ATHowell	JRHall	TPGwynn	BSMallett
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