

November 21, 2005

MEMORANDUM TO: William Ruland, Deputy Director  
Spent Fuel Project Office  
Office of Nuclear Material Safety  
and Safeguards

FROM: Meraj Rahimi, Senior Project Manager /RA/  
Licensing Section  
Spent Fuel Project Office  
Office of Nuclear Material Safety  
and Safeguards

SUBJECT: SUMMARY OF NOVEMBER 10, 2005, MEETING WITH NUCLEAR  
ENERGY INSTITUTE (TAC NO. LA0233)

On November 10, 2005, representatives of the Nuclear Regulatory Commission (NRC), Nuclear Energy Institute (NEI), and some of the NEI members held a meeting to discuss the licensing and technical issues pertaining to spent fuel storage and transportation cask licensing under 10 CFR 71 and 72. The meeting agenda and a list of attendees are included in Attachments 1 and 2.

NEI presented a prioritized list of the issues (Attachment 3), and discussed the high priority issues including changes or additions made to the list since the last version sent to the NRC prior to the meeting. With respect to Issue 1a [i.e., criticality monitoring requirement under 10 CFR 72.124(c)], staff agreed to determine if additional guidance is needed for criticality monitoring when the loaded canister inside the cask is outside the pool but prior and during draining, drying, inerting, canister lid welding, or cask lid closure after which is considered to be in stored configuration. Regarding Issue 2 (i.e., burnup measurement), the staff emphasized the need for measurement as indicated in regulatory guides. With respect to Issue 3 (i.e., damaged fuel), the staff will revise Interim Staff Guidance (ISG)-1 to endorse ANSI Standard N14.33 with additional criteria. Regarding Issue 29 (fuel-in-air), the staff indicated that draft ISG-22 will be issued for public comments. The staff also presented additional issues which are included in Attachment 4.

During the second part of the meeting, detailed discussion was devoted to the first issue on the list regarding the issuance of RIS 2005-05 and the subsequent impact on the licensees as expressed in the NEI's July 25, 2005, letter and responded to by the October 3, 2005, staff letter. The staff presented its position (Attachment 5), as described in its October 3, 2005, letter, with more explanation on the reasons for the differences in the criticality safety approaches between the office of Nuclear Reactor Regulation (NRR)/Division of Safety Systems (DSS) and the office of Nuclear Material Safety and Safeguards (NMSS)/Spent Fuel Project Office (SFPO) regarding casks loading in spent fuel pools. The NEI also presented its position (Attachment 6) as described in its July 25, 2005, letter. The NEI members, including several reactor licensees, expressed their difficulties in terms of cost and cask loading schedule at each of their own specific sites. At the end of the discussion, the NRR/DSS management indicated that in formulating a timely response action, the concerns expressed by the NEI and their members will be addressed.

No regulatory decisions were made at the meeting.

Attachments 1: Meeting Agenda

2: List of Attendees

3: 10 CFR 71/72 DSTF Issues Matrix

4: Additional issues from Licensing Process Conference

5: NRC presentation

6: NEI presentation

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<b>OFC:</b>	SFPO	E	SFPO	E	NRR/DSS/SPWB			
<b>NAME:</b>	MRahimi		MDeBose		JNakoski		RNelson	
<b>DATE:</b>	11/17/05		11/17/05		11/18/05		11/21/05	

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Meeting Agenda  
Meeting Nuclear Energy Institute  
November 10, 2005, Room T9A1

9:00 a.m.	Introductions
9:05 a.m.	Opening Remarks - SFPO management
9:10 a.m.	Opening Remarks - NEI management
9:15 a.m.	Discussion of NEI dry cask storage issues
9:55 a.m.	Break
10:00 a.m.	NMSS and NRR management join the meeting
10:05 a.m.	Industry presentation on RIS 2005-05 implementation
10:20 a.m.	NRC presentation on RIS 2005-05
10:35 a.m.	Round table discussion of RIS 2005-05
10:50 a.m.	Public comment
11:00 a.m.	Break
11:10 a.m.	Continuation of round table discussion of RIS 2005-05
11:50 a.m.	Public comment
12:00 p.m.	Adjourn

## List of Attendees

<u>Name</u>	<u>Affiliation</u>
Meraj Rahimi	NRC/NMSS/SFPO
Bill Brach	NRC/NMSS/SFPO
Bill Ruland	NRC/NMSS/SFPO
Wayne Hodges	NRC/NMSS/SFPO
Bob Nelson	NRC/NMSS/SFPO
Gordon Bjorkman	NRC/NMSS/SFPO
Larry Campbell	NRC/NMSS/SFPO
Randy Hall	NRC/NMSS/SFPO
Ray Wharton	NRC/NMSS/SFPO
Geoff Hornseth	NRC/NMSS/SFPO
Carl Withee	NRC/NMSS/SFPO
Ben Wilson	NRC/NMSS/SFPO
Tom Martin	NRC/NRR/DSS
Jared Wermiel	NRC/NRR/DSS
John Nakoski	NRC/NRR/DSS
Tom Boyce	NRC/NRR/ADRO/TSB
David Roth	NRC/NRR/ADRO/TSB
Aron Lewis	NRC/NRR/ADR/TSB
David Brown	NRC
Dennis Galvin	NRC/NMSS/HLWRS
Susan Uttal	NRC/OGC
Steven Kraft	NEI
Felix Killar	NEI
Mike Coyle	NEI
Mike Settopman	NEI/LATF
Brian Gutherman	CST Associates
Terry Sides	Southern Nuclear
Stefan Anton	Holtec International
Glenn Michael	Arizona Public Service Co.
Zita Martin	Tennessee Valley Authority
Zachary Kitts	Tennessee Valley Authority
Tom Danner	NAC International
Steve Nesbit	Duke Energy
Paul Guill	Duke Energy
Norman Simms	Duke Energy
Keith Waldrof	Duke Energy
Carlyn Greene	Washington Nuclear Co.
Atheia Wyche	SERCH Licensing/Bechtel
Laurie Lahti	Nuclear Management Co.
Steve Edwards	Progress Energy
Jayant Bondre	Transnuclear Inc.
Michael Holmes	Exelon
Deann Raleigh	Scientel
Randy Robins	Dominion
Suzanne LeBlang	NMC

## Additional Pertinent Licensing Issues Identified in Licensing Process Conference

ISSUE NO.	PRIORITY	STATUS	ISSUE DESCRIPTION	STATUS
1	Low	Open	<b>Sensitive Information:</b> SFPO would like NEI's input on developing procedures for the treatment of sensitive information in incoming documents. The NMSS staff's criteria for determining sensitive information will be disseminated in the near future.	
2	Low	Open	<b>Correcting CoC Errors:</b> SFPO is considering how to correct errors in an existing CoC. SFPO will engage stakeholders at appropriate time. This may relate to issue no. 6.	
3	Medium	Open	<b>Repetitive RAIs:</b> Similar RAIs issued by staff on applications submitted by different licensees or vendors.	
4	Low	Open	<b>NRC's plan and schedule for caseworks:</b> Industry provide "look-ahead" schedule for application submittals. NRC would provide timeliness goals and general scheduling criteria available to public.	