

From: "Yang, Rosa" <RYANG@epri.com>
To: "DUNN Bert M" <Bert.Dunn@framatome-anp.com>, "Ralph Meyer" <ROM@nrc.gov>, "GARNER Garry L" <Garry.Garner@framatome-anp.com>
Date: 1/20/06 6:06PM
Subject: RE: Calls to Argonne

Finck is on our side, I think he would like to help. I'd encourage Roger to make the call ASAP, so he/AEVA would be counted in the discussions with DOE.

-----Original Message-----

From: DUNN Bert M [mailto:Bert.Dunn@framatome-anp.com]
Sent: Friday, January 20, 2006 1:57 PM
To: Yang, Rosa; Ralph Meyer; GARNER Garry L
Cc: Edsinger, Kurt; REYNOLDS Roger S
Subject: RE: Calls to Argonne

Rosa,

Framatome is in support of the LOCA program proceeding at Argonne. We are planning a call, from Roger Reynolds to Argonne, on Monday supporting the completion of the LOCA testing program. We agree as well that the M5 mechanical program should in no way jeopardize the LOCA program. I would like, if possible, an update on any results of this lobbying sometime Monday morning in order to optimize our call to Argonne.

Thanks Bert

-----Original Message-----

From: Yang, Rosa [mailto:RYANG@epri.com]
Sent: Friday, January 20, 2006 4:22 PM
To: Ralph Meyer; GARNER Garry L
Cc: Edsinger, Kurt; DUNN Bert M
Subject: RE: Calls to Argonne

I talked to Phillip Finck. He told me that he just had a meeting with NRC and he is familiar with the issues. He also told me that he is a nuclear engineer and he understands the situation well. He is having dinner with the lab director tonight, he will do his best to persuade the director.

After making the plea for the LOCA program, I argued for the M5 mechanical test program (I was very clear this can not jeopardize the LOCA program). He agrees with me if we get the time extension why not do all of them.

He promised to call me as soon as there is any decision.

-----Original Message-----

From: Ralph Meyer [mailto:ROM@nrc.gov]
Sent: Friday, January 20, 2006 6:48 AM
To: Yang, Rosa; Garry.Garner@framatome-anp.com
Cc: Edsinger, Kurt; Bert.Dunn@framatome-anp.com
Subject: Calls to Argonne

Rosa, Gary,

A-13

I talked to both of you yesterday about the situation at ANL. My upper management is rather energized about this, and calls are being made to the lab from RES, NRR, and NMSS. I think it would be effective to have calls also from EPRI and Framatome.

Attached are some notes that you might find useful in planning such a call. These notes are only slightly different from the notes I provided to RES, NRR, and NMSS upper management for their calls. I have encouraged everyone -- and encourage you -- to revise and embellish as fits your needs. But the central message will be about the same.

As I said yesterday, we are confining our request to the current LOCA + Spent Fuel work, including expected M5 rods and hoped-for ZIRLO rods. I think that your larger M5 program would be viewed as a new start such that you would lose much of the basis for a request (Finish what you started!). But that's entirely up to you.

Philip Finck is our target for the calls, but of course you could call Rosner or anyone else. Finck is in a key position right under Rosner, and Finck reportedly understands the technical situation in AGHCF.

Good luck.

Ralph

CC: "Edsinger, Kurt" <KEdsinger@epri.com>, "REYNOLDS Roger S" <Roger.Reynolds@framatome-anp.com>

Notes for TelephoneCall
to
Philip J. Finck
630-252-1987
or
630-252-5372
Deputy Associate Laboratory Director
(soon to be ALD)
Energy Technology Division, which has the hot cells, reports to this ALD

1. We learned on January 13 that the Alpha-Gamma Hot Cell Facility (AGHCF) will soon be closed to most future programmatic work, although the Waste Isolation Pilot Plant (WIPP) work is continuing.
2. I'm sure you are aware that NRC has a program in that facility that will be affected. That program is being run with formal cooperation from EPRI, Framatome, Westinghouse, and DOE-NE, and with informal cooperation with Global Nuclear Fuel and several international partners.
3. This NRC program has been underway since 1997 and is scheduled for completion in 2008. The NRC and the industry have made a big investment (>\$18M to date by NRC) and want to finish taking data with the dedicated staff, custom equipment, and special techniques that were developed with our funding.
4. The work is at such an advanced stage that NRC has scheduled rulemaking activities and the development of other regulatory guidelines beginning this year. These activities were expected to run concurrently with verification testing during FY07-08.
- 5a. (NRR) Delays will force NRC to grant exemptions from our important LOCA regulation (10 CFR 50.46) for almost all refuelings, without having a verified basis for the exemptions. Such exemptions also affect the market place as they create a stigma on newer fuel designs (*not covered by NRC regulations!*), which are in fact intended to provide improved performance.
- 5b. (NMSS) Delays in obtaining these data will further postpone the day that NRC can license casks for the movement of high-burnup fuel. This will increase congestion in already crowded fuel pools and could potentially interfere with plant operation. If we are not able to obtain these data, the DOE (as applicant and shipper) will have to provide such data before a transportation cask or a transport, aging, and disposal canister (TAD) can be approved in the currently envisioned configuration.
- 5c. (RES) NRC has been a loyal sponsor at ANL, especially in this program, and I think we deserve some special consideration. The high-burnup LWR fuel rods that are currently in the AGHCF were very difficult to obtain and are like gold to us. To deny us the ability to obtain very unique data from these specimens will not only cause delays in NRC's regulatory activities, but will also increase our costs considerably.

6. We understand that your Director does not think the hot cells have been profitable enough. A revised business plan, including the \$9M WIPP program and the recently approved \$7.5M NRC program extension, might change that perspective. The NRC program alone has been paying more than half of the fixed operating costs for AGHCF, and these costs would be incurred even without programmatic work.
7. We also understand that there have been a small number of procedural violations in the AGHCF. These procedural problems related to the AGHCF have been or will be corrected in any event. The NRC work presents no safety issues beyond those already encountered in the WIPP work.
8. It seems clear, therefore, that the limited amount of remaining NRC work could be done in the AGHCF concurrent with your other work.
9. It seems to us that the safety issues that NRC and the industry are addressing for 103 operating reactors in the U.S. – and the shipment of spent fuel from those reactors – are of greater weight than the financial and procedural issues you are addressing in the AGHCF.
10. At the present time, the NRC staff in three offices (RES, NRR, NMSS) are putting together background material and preparing a letter to be sent by our Chairman to the Secretary of Energy requesting his assistance in getting this NRC work finished.
11. We hope you will discuss this situation with your Director and permit us to complete the small amount of work that remains in our program in the AGHCF.

Draft
January 20, 2006