

From: Robert Rosner
To: Ralph Meyer <ROM@nrc.gov>
Date: 1/27/06 5:35PM
Subject: Re: NRC Program in AGHCF

Ex. 6

Dear Ralph:

I fully concur with your review of our telephone conversation. The only addition (not change) I want to make is that it needs to be understood that whatever work is done at Argonne, it will need to be done in full compliance with all of the DOE's safety and, more specifically, nuclear safety requirements. As the new ANL director, I am fully committed to running our programs as 'best in class' in every way, and that includes safety!

Information in this record was deleted
in accordance with the Freedom of Information
Act, exemptions 6
FOIA-2006-0110

Finally, I want to specifically confirm that I will, as Director, strongly support our efforts to collaborate with the NRC.

Best regards,
Bob

On Fri, 27 Jan 2006, Ralph Meyer wrote:

- > Bob:
- >
- > Thank you for calling this afternoon. Please let me summarize some of the points of our conversation, and if I get something wrong or omit something important you can let me know.
- >
- > I was very pleased to hear you say, near the beginning of the call, that ANL is going to do its utmost best to do these experiments * period! This was very encouraging.
- >
- > We agreed that BWXT could do defueling, if that were necessary, but that ANL was the only laboratory in the world that could do the integral tests without delays that would probably be unacceptable to NRC. These activities must be done in a nuclear facility such as AGHCF.
- >
- > I said that we wanted to run four integral tests on Zircaloy-clad fuel in 2006, four on M5-clad fuel in 2007, and four on ZIRLO-clad fuel in 2008. These are for the reactor safety (LOCA) part of NRC's program. I failed to mention a small number of tests involving fuel for the spent fuel (transportation cask) part of the program.
- >
- > I pointed out that a lot of testing for NRC had been done in the AGHCF that did not need to be done there and that equipment moves that were just completed would reduce future testing needs in the AGHCF by about 80%. That work can be done instead in the non-nuclear IML facility, also in Building 212. I believe this goes a long way toward addressing your problem with regard to the NRC program.
- >
- > You wrapped up by saying that we will work together to get this done, and then you said it was okay for me to send e-mail to you.

> Ralph

> >>> Robert Rosner [] 01/27/06 3:34 AM >>>

Ex. 6

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> Ralph:

>

> Just got to the hotel in Lisle back in Illinois, it's been quite a day.

> Will try tomorrow!!!!

>

> -Regards,

> -Bob

>

> On Thu, 26 Jan 2006, Ralph Meyer wrote:

>

>> Bob:

>>

>> Okay. I had a long discussion with Don Joyce yesterday, so I know you will talk to him also.

>>

>> Ralph

>>

>> _____

>> >>> Robert Rosner [

] 01/26/06 3:37 AM >>>

Ex. 6

>>

>> Dear Ralph:

>>

>> I just got to Boulder - my evening Wednesday was spent on an airplane ...

>>

>> I will try to reach you tomorrow evening, when I return to Chicago.

>>

>> -Regards,

>> -Bob

>>

>> On Wed, 25 Jan 2006, Ralph Meyer wrote:

>>

>>> Bob:

>>>

>>> Good. I look forward to talking to you. Here are my numbers.

>>>

>>> 301-415-6789 until 5:30 pm EST

>>>

>>> 301-963-8336 after 6:30 EST

>>>

>>> Ralph

>>>

>>> _____

>>> >>> Robert Rosner [

] 01/24/06 11:03 PM >>>

Ex. 6

>>>

>>> Dear Ralph:

>>>

>>> I did receive the letter via fax late in the afternoon today (I am in

>>> DC, for our meeting tomorrow with DOE/OE).

>>>

>>> I would indeed like to chat with you about resolving the issues at

>>> hand; and I also think that there are solutions that can be satisfactory

>>> to the NRC, to ANL, and also to DOE. Timing is the only issue really -

>>> I will be fully engaged all tomorrow; and on Thursday will be in Boulder

>>> at NCAR leading a committee. If there is any way to chat in the evenings,

>>> that might be one solution - let me know what's convenient for you!

>>>

>>> Regards,

>>> Bob Rosner
>>> Director, Argonne National Laboratory

>>>
>>>
>>>

>>> On Tue, 24 Jan 2006, Ralph Meyer wrote:

>>>

>>>> Dear Dr. Rosner:

>>>>

>>>> Please see the attached letter from the Director of NRC's Office of Nuclear Regulatory Research. I am the senior level technical person who initiated this program and remains responsible for it (I am also an Argonne alumnus). I would be glad to talk to you in more detail, if you would like, because I am convinced that we can both achieve our goals at the same time.

>>>>

>>>> Ralph Meyer

>>>>

>>>>

>>>>

>>

>>

>

CC: <donjoyce@anl.gov>, <pfinck@anl.gov>, <r-rosner@anl.gov>, Carl Paperiello
<CJP1.twf5_po.TWFN_DO@nrc.gov>



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

January 24, 2006

Dr. Robert Rosner, Director
Argonne National Laboratory
9700 S. Cass Avenue
Argonne, IL 60439

Dear Dr. Rosner:

On January 13, 2006, we read in the *Argonne News* that you plan to suspend programmatic work in the Alpha-Gamma Hot Cell Facility (AGHCF) at Argonne National Laboratory (ANL). You are probably aware that the U.S. Nuclear Regulatory Commission (NRC) has an ongoing program with ANL that would be affected by such a decision. However, you might not be aware of the importance of this program or the development that has gone into it.

The program in question involves formal cooperation among the NRC and the Electric Power Research Institute, Framatome ANP, Westinghouse, and the U.S. Department of Energy (under a specific memorandum of understanding between the NRC and the Office of Nuclear Energy, Science and Technology). The intent of the program is to provide data on high-burnup reactor fuel, which the U.S. nuclear power industry and the NRC need to ensure that reactor safety criteria are adequate for both current and future fuel cladding alloys and to develop criteria for the transportation of spent nuclear fuel.

This program, which is scheduled for completion in 2008, has been underway since 1997, and it has taken years of laborious effort to develop techniques, assemble a skilled research team, and obtain fuel rods from U.S. power plants. Toward that end, the NRC has made a significant investment (more than \$18M to date), and we would like to capitalize on the dedicated staff, custom equipment, and special techniques that have been developed at ANL to complete the program. The work is at such an advanced stage that we have scheduled rulemaking activities and the development of other regulatory guidelines beginning this year. These activities are expected to run concurrently with verification testing, which is scheduled to be conducted at ANL during Fiscal Year (FY) 2007-2008.

Delays in completing this work and obtaining experimental data on high-burnup reactor fuel would force the NRC to consider granting exemptions from our important regulation on loss-of-coolant accidents (10 CFR 50.46). This must be done on a case-by-case basis for almost all refueling outages because some fuel is not covered by the current regulation. In addition, delays in obtaining the experimental data would further postpone the NRC's ability to license casks for the movement of high-burnup reactor fuel. This could delay the shipment of spent fuel to a repository or other storage locations, potentially interfering with plant operation.

ML060200283 - public

R. Rosner

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The article in the *Argonne News* suggests a perception that the laboratory is subsidizing the programmatic work in the AGHCF. However, fixed operating costs are, in fact, a big part of the NRC's overall payments to ANL, and I believe that our program alone pays more than half of the fixed costs that the laboratory would have to bear simply to maintain this Class-2 facility without any programmatic work.

The NRC has been a loyal sponsor of ANL, especially in this program. On that basis and because the AGHCF will remain functionally operational during the period that is needed to complete our program, we request that you permit us to finish this work. With your help, we can bring this program to an orderly and successful conclusion in FY-2008.

Sincerely,



Carl J. Paperiello, Director
Office of Nuclear Regulatory Research

R. Rosner

-2-

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Sincerely,

/RA/

Carl J. Paperiello, Director
Office of Nuclear Regulatory Research

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