

Doris Mendiola - NRC proposed Regulatory Improvements to the Nuclear Materials Management and Safeguards System

From: "Farrer, Darell" <DLF1@pge.com>
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Brian Horn
Nuclear Regulatory Commission

Dear Mr. Horn,

I have received the *Special Edition March 2007 NMMSS News* that Shirley Williams of NAC International e-mailed to the NMMSS community. It contains the FAQ response you provided to what apparently is numerous questions concerning the proposed change to 10CFR74.15.

In reviewing the question and answer I believe that the concerns may not have been fully and clearly stated.

My area of concern is the additional requirement to submit a Nuclear Material Transaction Report no later than the close of business the next working day whenever an adjustment of the inventory "in any manner" is made.

Prior to placing fuel in the spent fuel pool, the burnup and initial enrichment of each assembly must be determined to verify that the planned storage is acceptable. As the isotopic inventory of each assembly is a function of its burnup, updating the burnup has the effect of adjusting the inventory of special nuclear material due to production and consumption.

In addition to the requirement to update the burnup prior to placing fuel in the spent fuel, there may be other reasons to update the burnup of fuel contained in the reactor. Each time the burnup is updated, the isotopic inventory is adjusted.

Under these conditions the proposed change implies that a Nuclear Material Transaction Report is required to be submitted no later than the close of business the next working day. This is true even if the need was to update the burnup only, with no real intent to adjust the inventory.

Considering the time needed to perform, review, and approve the burnup update, calculate the changes in the isotopic inventory, review and approve the calculations, and then prepare, review, and approve the Nuclear Material Transaction Report, it would be very difficult to accomplish all of this in a single day.

It is also not clear what would be the impact to the Material Status Report. Typically the inventory at a particular time is determined and compared to the previous inventory. The changes are calculated and this becomes the basis for the Nuclear Material Transaction Report. If the Nuclear Material Transaction Report is to be submitted and is based on the differences in inventories between two points in time as calculated from the differences in two Material Status Reports, shouldn't the Material Status Report also be submitted along with the nuclear material transaction reports? I believe that it should.

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Not submitting a Material Status Report along with the Nuclear Material Transaction Report may result in the inventory as reported to NMMSS and the inventory as held by a licensee differing.

Submitting the Material Status Report along with the Nuclear Material Transaction Report would seem to negate the requirement to submit the Material Status Report annually.

In conclusion, requiring a Nuclear Material Transaction Report for each adjustment of the inventory based on consumption or production will be burdensome and may be counterproductive.

Cordially,

Darell Farrer

Excerpt from proposed Sec. 74.15 Nuclear material transaction reports.

(a) Each licensee who transfers, receives, or adjusts the inventory in any manner of special nuclear material in a quantity of one gram or more of contained uranium-235, uranium-233, or plutonium shall complete in computer-readable format a Nuclear Material Transaction Report. ... Each licensee who transfers the material shall submit a Nuclear Material Transaction Report in computer-readable format as specified in the instructions no later than the close of business the next working day.

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