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D. Hooper, Acting Chairman
STARS Integrated Regulatory Affairs Group
P.O. Box 411, Burlington, Kansas 66839

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72 FR 5348,
Dated February 6, 2007
72 FR 13313,
Dated March 21, 2007

STARS-07003
June 14, 2007

Ms. Annette L. Vietti-Cook
Secretary, U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001
ATTN: Rulemakings and Adjudications Staff

3/21/07 (7)
72 FR 13313

**STRATEGIC TEAMING AND RESOURCE SHARING (STARS)
COMMENTS ON PROPOSED RULEMAKING: REGULATORY
IMPROVEMENTS TO THE NUCLEAR MATERIALS MANAGEMENT
AND SAFEGUARDS SYSTEM, AND PROPOSED REVISIONS TO
NUREG/BR- 0006 AND NUREG/BR-0007
(72 FR 5348 Dated February 6, 2007, and
72 FR 13313 Dated March 21, 2007)**

Dear Ms. Cook,

The Strategic Teaming and Resource Sharing (STARS)¹ nuclear power plants would like to take advantage of this opportunity to comment on the subject proposed rulemaking and the proposed revisions to the related NUREGs. Comments on the proposed rule and guidance documents are provided in the enclosure to this letter.

*SUNSI Review Complete
Template = ADM-013*

*FRIDS = ADM-03
Att = B. Horn
(bgh1)*

¹ STARS is an alliance of six plants (eleven nuclear units) operated by TXU Power, AmerenUE, Wolf Creek Nuclear Operating Corporation, Pacific Gas and Electric Company, STP Nuclear Operating Company and Arizona Public Service Company.

The STARS plants appreciate the opportunity to comment on the proposed rule. If there are any questions regarding these comments, please contact me at 620-364-4041, or dihooper@wcnoc.com, or Carl Corbin at 254-897-0121, or ccorbin1@txu.com.

Sincerely,



D. Hooper, Acting Chairman
STARS Integrated Regulatory Affairs Group

Copy Chief, Rules and Directives Branch
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The STARS Alliance respectfully submits the following comments:

1. Comments on Proposed Rulemaking

The proposed change to submit a Nuclear Material Transaction Report whenever the licensee adjusts the inventory in any manner (Section II.H) is unclear and needs to be clarified to prevent unnecessary impact on licensees.

Currently this report is required when the licensee transfers or receives SNM and in conjunction with the annual physical inventory and Material Balance Reports. A typical example of an adjustment made between annual reports is the end-of-cycle adjustment for burn up, which also adjusts isotopics for burn up, production, and decay.

There should be adequate justification for changing the reporting requirement to a more frequent basis than annually.

The requirement that the reports be submitted whenever the licensee "adjusts the inventory in any manner" is vague as to what constitutes an adjustment. A reasonable interpretation is that an adjustment is made whenever the SNM database is updated (typically once per year and at end-of-cycle). However, another potential interpretation could be that an adjustment occurs whenever a flux map is performed since that gives the data used to determine burn up and production. In this case the adjustment would occur once per month. With technology advances, it would not be unreasonable in the future to foresee these calculations being performed continuously rather than in a batch mode; how would the rule apply then? There also needs to be a time requirement for submittal of the Transaction Report following an inventory adjustment.

Licensees will have increased reporting requirements under the proposed change resulting in unnecessary reporting burden. The proposed change requires more frequent work by licensees with no commensurate benefit or improvement in SNM accountability.

A suggested change to the proposed rule:

Each licensee who adjusts the inventory in any manner other than for transfers and receipts, shall submit a Nuclear Material Transaction Report, in computer-readable format in accordance with instructions, to coincide with the submission of the annual or semi-annual Material Balance Report."

2. Comments on Draft NUREG/BR-0006, Rev. 7

- a) Page 2, Section 1.2, 3rd paragraph – Last sentence appears to add a requirement beyond that contained in 10CFR74.15 (i.e., complete Form 741 when transferring more than 0.1 gram of Pu-238).

- b) Page 6, Line 6b, Code B – "without further measurement by the receiver" should not be deleted. It is an important qualifier. Without the statement, "without further measurement by the receiver," it is not clear that the receiver is relying on accuracy of the shipper's values.
 - c) Page 19, Section 3.1, Item 1 – Typo: "Enteryour".
3. Comments on Draft NUREG/BR-0007, Rev. 6
- a) Page 2, lines 28 thru 30 - it defines reportable quantities as 1 gram or more of SNM. It used to refer back to BR-0006 for this definition, which was not clear in that document, but it was assumed to be 0.1 grams for Pu-238 (by most of the reactor industry, including the TracWorks programming team), since it must be reported to that accuracy (most other SNM is reported to the nearest gram). This appears to be an oversight in the clarification of 'reportable quantity'. As proposed, Pu-238 items less than 1 gram would not be reportable. This will affect licensees having a source of Pu-238 of less than 1 gram. This needs to be clarified so licensees will know if they have to include this item in their annual reports.