



NUCLEAR ENERGY INSTITUTE

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November 10, 2008

Mr. Michael T. Lesar,
Chief, Rulemaking, Directives and Editing Branch
Office of Administration
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

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RULES AND DIRECTIVES
BRANCH
USNRC

Subject: Draft Regulatory Guide DG-3031, "Standard Format and Content Guide for Health and Safety Sections of the License Renewal Applications for Uranium Processing and Fuel Fabrication."

Project Number: 689

Dear Mr. Lesar:

The Nuclear Energy Institute (NEI)¹ submits the following comments on the Draft Regulatory Guide DG-3031, "Standard Format and Content Guide for Health and Safety Sections of the License Renewal Applications for Uranium Processing and Fuel Fabrication" (September 2008), which is an update of Regulatory Guide 3.52 by the same title (November 1986). These comments are based on industry input from NEI members and are offered for your consideration in finalizing the Regulatory Guide.

Comment no. 1 - Section B, last paragraph, describes situations where the NRC may approve license terms for less than the maximum 40 year time period authorized by the 2006 policy. The examples given may imply to some persons that NRC may only approve license terms at less than the maximum in unique or new situations which may be of concern in longer term operations. In fact, there are several other reasons why a licensee may chose to request a shorter term license renewal, or NRC may choose not to authorize the maximum time period.

¹ NEI is the organization responsible for establishing unified nuclear industry policy on matters affecting the nuclear energy industry, including the regulatory aspects of generic operational and technical issues. NEI's members include all utilities licensed to operate commercial nuclear power plants in the United States, nuclear plant designers, major architect/engineering firms, fuel fabrication facilities, materials licensees, and other organizations and individuals involved in the nuclear energy industry.

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Suggestion – Edit the last sentence to merely state that "The NRC may approve license terms for less than 40 years on a case by case basis."

Comment no. 2 -- Sections A and B use the term "specific" information and "specific" guidance in several places when referencing NUREG-1520, which implies a prescriptive approach to achieving regulatory compliance.

Suggestion – Delete the term "specific" since NUREG-1520 is only one suggested method for compliance with the performance-based regulations.

Comment no. 3 -- Since NUREG-1520 already states in the Executive Summary that it serves as regulatory guidance for license applications and related documents, it appears that this additional Regulatory Guide is redundant and unnecessary.

Suggestion – Consideration should be given to adding the "40-year license term issue" to NUREG-1520 and eliminating this Regulatory Guide.

Thank you for the opportunity to comment on the DG-3031. If we can provide further information to assist in resolving these comments, please contact me at 202-739-8126; fmk@nei.org.

Sincerely,



Felix M. Killar, Jr.

c: Ms. Breeda M. Reilly, NMSS/FCSS/FFLD/E, NRC