

June 22, 2009

MEMORANDUM TO: John Kinneman, Director, DNMS, Region I
Leonard Wert, Jr., Director, DRP, Region II
Steven Reynolds, Director, DNMS, Region III
Arthur Howell, Director, DNMS, Region IV

FROM: E. William Brach, Director **/RA/**
Division of Spent Fuel Storage and Transportation
Office of Nuclear Material Safety
and Safeguards

SUBJECT: SUMMARY OF THE FEBRUARY 18-19, 2009, INDEPENDENT SPENT
FUEL STORAGE INSTALLATION INSPECTOR COUNTERPART
MEETING WITH DIVISION OF SPENT FUEL STORAGE AND
TRANSPORTATION, REGIONAL INSPECTORS, AND MANAGEMENT

On February 18-19, 2009, the Division of Spent Fuel Storage and Transportation (SFST) conducted an independent spent fuel storage installation (ISFSI) inspector counterpart meeting with inspectors and managers from SFST and the regional offices. At the invitation of SFST in a memorandum from the Division Director, dated January 9, 2009, the meeting was hosted by SFST at the Office of Nuclear Material Safety and Safeguards (NMSS), 6003 Executive Boulevard building in Rockville, Maryland.

The purpose of the meeting was to discuss significant inspection related issues in the ISFSI arena and ideas to provide more effective and efficient regulation of spent fuel storage and transportation.

The discussions identified areas of common inspection experience and approaches, focused on the more risk significant activities, defined more efficient methods for planning and conducting inspections, and provided a platform for establishing stronger teamwork. Other discussion topics included: Nuclear Reactor Regulation (NRR) ISFSI resource allocation; budgeting and time charging; inspections performed and inspection findings or lessons of common interest; inspection resources; the process of implementing ISFSI security Temporary Instructions (TIs); NMSS knowledge management; interim staff guidance documents as they relate to ISFSI inspections; and a proposed approach for inspection of the implementation of Part 72 amendments to loaded casks.

This was the fifth counterpart meeting since 2002. The meeting offered an opportunity for the program office and regions, as well as other program offices, to discuss current issues and developments in the ISFSI inspection arena, and proactive participation by all was exceptional, and the participants agreed that the meeting was extremely beneficial.

CONTACT: Earl Love, NMSS/SFST
(301) 492-3170

An attendance list is included as Enclosure 1. Enclosure 2 is the final meeting agenda. Enclosure 3 is a summary of significant points and action items identified at the meeting. SFST staff has been working with your staff on the action items and plans to track their resolution. Comments and planned activities associated with action items along with planned completion dates for those action items assigned to the regions should be provided to Earl Love at 301-415-3170, e-mail: earl.love@nrc.gov.

Enclosures:

1. Attendance List
2. ISFSI Inspection Counterpart Meeting Final Agenda
3. Significant Points and Action Items

cc: See attached list

An attendance list is included as Enclosure 1. Enclosure 2 is the final meeting agenda. Enclosure 3 is a summary of significant points and action items identified at the meeting. SFST staff has been working with your staff on the action items and plans to track their resolution. Comments and planned activities associated with action items along with planned completion dates for those action items assigned to the regions should be provided to Earl Love at 301-415-3170, e-mail: earl.love@nrc.gov.

Enclosures:

1. Attendance List
2. ISFSI Inspection Counterpart Meeting Final Agenda
3. Significant Points and Action Items

cc: See attached list

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OFC:	SFST	SFST	SFST	N	SFST			
NAME:	ELove	DPstrak	NMamish	WBrach				
DATE:	04/21/09	04/21/09	04/21/09	06/22/09				

OFFICIAL RECORD COPY

Memorandum to Multiple

cc w/ Enclosures

Headquarters

Brach, William E.
Lorson, Raymond
Mamish, Nader
Garner, Douglas

Benner, Eric
Campbell, Larry
Correia, Richard
Pstrak, David
Regan, Christopher
Sanfilippo, Nathan

Love, Earl
Morell, Clyde
Pearson, Jim
Temps, Rob

Region I

Nicholson, John
Ragland, Randolph
Schmidt, Jim

Region II

Vias, Steve

Region III

Bakhsh, Sara
Lipa, Christine
Learn, Matt

Region IV

Brookhart, Lee
Everett, Vincent
Kellar, Ray
Spitzberg, Blair

ATTENDANCE LIST

Headquarters

Weber, Michael F. – Director, Office of NMSS
Brach, William E. – Director, Division of SFST
Mamish, Nader - Deputy Director, Licensing & Inspection Directorate
Pstrak, David – Rules, Inspections, & Operations, Branch Chief
Pearson, Jim – Sr. Safety Inspector
Kelley, Paul - NSIR/DSP/DDMS/MWISB/MSSICT
Temps, Rob – Sr. Safety Inspector
Wharton, Ray – Sr. Project Manager
Eizinger, Robert – Sr. Materials Engineer
Hornseth, Geoffrey – Sr. Materials Engineer
Thompson, Elizabeth – Sr. Health Physicist
Heumann, Elise – Program Coordinator
Huang, Dan – Sr. Project Manager
Sapountzis, Alex – Office of Enforcement
Garcia-Santos, Norma – Project Manager
Lorson, Raymond – Deputy Director
Benner, Eric – Licensing Branch Chief
Campbell, Larry – Criticality, Shielding & Dose Assessment, Branch Chief
Love, Earl – Storage and Transportation Safety Inspector
Morell, Clyde – Storage and Transportation Safety inspector
Helton Shana – Sr. Project Manager
Vera, John – Structural Engineer

Region I

Schmidt, Jim
Nicholson, John
Ragland, Randolph

Region II

Vias, Steve

Region III

Bakhsh, Sara
Lipa, Christine
Learn, Matt

Region IV

Kellar, Ray
Everett, Vincent
Spitzberg, Blair
Brookhart, Lee

ISFSI INSPECTOR COUNTERPART MEETING FINAL AGENDA

February 18-19, 2009

Executive Boulevard Building, Room EBB-01-B13

Purpose:

The purpose of this meeting is to discuss significant inspection related issues in the ISFSI arena and ideas to provide more effective and efficient regulation of spent fuel storage and transportation.

Outcomes:

Our discussions will identify areas of common inspection experience and approaches, focus on the more risk significant activities, define more efficient methods for planning and conducting inspections, and will provide a platform for establishing stronger teamwork. The overall outcome will be to improve regulatory efficiency and effectiveness.

Process:

Wednesday, February 18, 2009

8:00 - 9:30 am SFST Program Activities

- Welcome and opening remarks (Bill Brach)
- Introductions and meeting objectives (Pstrak)
- NMSS/NRR ISFSI Resource Allocation (Heumann/Masciantonio)
- SFST Inspection Time Charging Refresher (Temps)

9:30 - 10:00 am Break

10:00 - 11:30 am SFST and Regional Inspection Activities

- Presentation by SFST and each Region (30 minutes each)
- Status of vendor/fabricator inspections (Pearson)
- Status of ISFSIs in each Region (Regions)
- Summary of inspections completed including:
 - Inspection findings of interest
 - Experience with dry runs & first loadings
 - Experience in conducting operational inspections
 - Problems in conducting inspections
 - Areas for improvement
- FY 2009/10 planned activities
- Inspection support needed from SFST or other Regions

11:30 - 1:00 pm Lunch and Time to Check-in with Office

1:00 - 2:00 pm SFST and Regional Inspection Activities (contd.)

2:00 - 2:30 pm Break

2:30 - 4:30 pm Open Forum: General Issues Q&A (All)

Enclosure 2

- 4:30 - 5:00 pm Wrap-up
- Review of any follow-up items identified during the day (Love)
 - Summary of day's activities (Pstrak)

6:00 pm Dinner: Tower Oaks Lodge,
2 Preserve Parkway
Rockville, MD 20852

Thursday, February 19, 2009

- 8:00 - 9:00 am ISFSI Security Issues
- SFST Security Order Process (Wharton)
 - ISFSI Security Inspections and Associated TIs (Kelley)

- 9:00 - 10:15 am Lessons Learned and Knowledge Management
- ISFSI Inspections Lessons Learned (Kellar)
 - Region III Website (Learn)
 - NMSS Knowledge Management Center (Garcia-Santos)

10:15 - 10:45 Break

- 10:45 - 11:45 am Discussion on Specific ISGs
- ISG 1: Damaged Fuel (Einziger)
 - ISG 18: The Design and Testing of Lid Welds on Austenitic
Stainless Steel Canisters as the Confinement
Boundary for Spent Fuel Storage (Hornseth)
 - Pending ISG (Predicted Transfer Cask Dose Rates) (Thompson)

11:30 - 1:00 pm Lunch and Time to Check-in with Office

- 1:00 - 2:15 pm Retroactive Application of Part 72 Amendments to Loaded Casks
- Draft RIS and Planned Rulemaking (Huang)
 - Enforcement Guidance Memorandum (Sapountzis)
 - Proposed Inspection Methodology (Temps)

2:15 - 2:45 pm Break

- 2:45 - 4:00 Open Discussion
- Open discussion of topics of interest (All)

- 4:00 - 4:30 pm Meeting Wrap-up
- Review of any follow-up items identified during the day (Love)
 - Summary of day's activities and meeting overall (Pstrak)

- MEETING ADJOURNED -

SIGNIFICANT POINTS AND ACTION ITEMS

POINTS:

1. There was extensive discussion at the meeting on many of the topics on the agenda. As a result, a number of follow up actions were identified requiring SFST as well as regional follow up as documented in the below action items. The issue of cranes and their use for cask movements, along with the process of implementing security orders, and enforcement method for issuing violations when a licensee implements partial or full changes to CoC amendments to previously loaded casks, evoked questions and concerns by the regions as to required inspection scope and technical inspection support and inspection guidance from headquarters.
2. In accordance with the rules for NMSS meetings, feedback forms were provided to all of the counterpart participants. Forms were returned at the completion of the meeting. Overall, the meeting was embraced by all with regard to facilitating the sharing of significant inspection related issues as well as areas for improvement toward effective and efficient regulation of spent nuclear fuel in the ISFSI arena. The meeting included proactive participation by all and established stronger teamwork and coordination between and amongst regions and headquarters.

ACTION ITEMS:

1. Simplify the time reporting process for ISFSI inspections by regional and headquarter inspectors. (Action: Headquarters)
2. Provide quarterly input to SFST on ISFSI activities for use in the knowledge management center website. Include any in-process issue(s) that do not result in findings or violations, as well as, a consolidated list of available training courses to enhance inspector skills. (Action: All)
3. Develop a list of subject matter experts to assist with crane assessments with regard to crane upgrades and/or modifications. Areas to consider include enhanced inspector training to assure proficiency in the performance of crane assessments; pre-dry run and performance based technical support during the loading campaign; and performance of inspections at subcontractor facilities. (Action: Headquarters)
4. The regions requested that SFST consider ways to more efficiently communicate on-going activities, including potential Part 21 issues and the violations identified during SFST fabrication inspections. SFST shall place the regional ISFSI inspectors and managers on the inspection branch weekly highlight summary. In addition, information will be posted on the knowledge management center website. (Action: Headquarters)
5. Develop a consistent approach to credit (as requested) general licensees for completion of certain facets of the dry run storage process (sealing/welding, DSC reopening, training) that were successfully demonstrated at a licensee facility. Include licensee description and rationale for waiver of those activities within site planning documents such as 72.212 report or ISFSI Dry Run Quality Assurance Plan. (Action: Headquarters)

6. Continue with the current process to have the regions communicate to industry, by way of Nuclear Energy Institute (NEI) Dry Cask Information Forum, repetitive deficiencies discovered by NRC inspectors during dry runs to minimize recurrences at individual sites. (Action: Headquarters)
7. General licensees are bound by the terms and conditions of the CoC amendment under which a cask was loaded. Any change to a term or condition is considered an upgrade and requires NRC approval. A 'draft' Enforcement Guidance Memorandum (EGM) is being developed to define the enforcement process for violations when a licensee implements partial or full changes to CoC amendments for previously loaded casks. Consequently, licensees may be subject to enforcement under the following conditions: a) partial implementation of changes after issuance of the EGM; b) failure to undo any changes or conform with the new amendment or file an exemption within 3 months after issuance of the EGM; and c) fully implement changes after issuance of the EGM and up until issuance/implementation of final rule "License and Certificate of Compliance Terms", RIN 3150-AI09. Coordinate with counterparts on a proposed regional response with regard to an effective plan to assure ease of transition and compliance once the EGM is issued. (Action: Region III)
8. The Security Order process including scheduling of inspections and implementation of Temporary Instructions (TIs) needs to be enhanced. Consideration should be given to development of implementation plans as it applies to Physical Protection, Access Authorization, and Safeguard Risk attributes of security inspections. The regions expressed concern regarding the inspector qualification process when performing these types of inspections and have requested security specific training. (Action: NSIR)