



NUCLEAR ENERGY INSTITUTE

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July 14, 2009

Mr. Ron Parkhill
Thermal and Containment Branch
Division of Spent Fuel Storage and Transportation
Office of Nuclear Material Safety and Safeguards
U.S. Nuclear Regulatory Commission
Washington, DC 20005-0001

Subject: Nuclear Energy Institute Comments on Draft NUREG–1536, Revision 1A, “Standard Review Plan for Spent Fuel Dry Storage Systems at a General License Facility,” 74 *Federal Register* 17546, April 15, 2009

Project Number 689

Dear Mr. Parkhill:

The Nuclear Energy Institute (NEI),¹ on behalf of the nuclear energy industry, is pleased to comment on the U.S. Nuclear Regulatory Commission’s (NRC) Division of Spent Fuel Storage and Transportation (SFST) Draft NUREG–1536, Revision 1A, “Standard Review Plan for Spent Fuel Dry Storage Systems at a General License Facility” (SRP). This proposed revision to the NRC staff review guidance incorporates the storage related interim staff guidances (ISGs) issued to date and prioritizes the review procedure sections in an effort to increase efficiency.

Industry commends SFST for providing an opportunity for public comment on this draft guidance. By providing opportunities for public input to all draft regulations and regulatory tools, the NRC is assuring a sound and predictable regulatory process.

The industry and NEI have reviewed the draft SRP and have developed detailed comments which are provided in the enclosure to this letter. In addition to the detailed comments, a few general comments are provided, including one on the nature of technical specifications. NEI and industry would be pleased to meet with the NRC to further discuss the items that should become part of the technical specifications.

¹ NEI is the organization responsible for establishing unified nuclear industry policy on matters affecting the nuclear energy industry. 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, nuclear material licensees, and other organizations and individuals involved in the nuclear energy industry

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Industry appreciates the efforts of the SFST staff and management to increase efficiency through revising the SRP. However, some of the efficiency gained through consolidating the guidance into a single document will be short-lived since SFST is in the process of revising an existing ISG and issuing a new ISG. Therefore, NEI encourages the NRC to revise the SRP on regular intervals rather than issuing and revising numerous ISGs (22 to date).

If the NRC continues the process of issuing ISGs, NEI recommends that the NRC review and revise, as appropriate, its procedures in regards to publication and use of ISGs. The following are few issues that have been identified during the review of the SRP:

- Numerous SFST ISGs on the NRC's website (<http://www.nrc.gov/reading-rm/doc-collections/isg/spent-fuel.html>) do not indicate the date of issuance.
- ISG-15 superseded ISG-4 in its entirety. However, as far as the public can tell, ISG-4 remains active. When ISGs are superseded or incorporated into the SRP, it should be appropriately documented and the ISG deleted.
- Regulatory Guide 1.193, Revision 2, references ISG-4, which as noted above has been superseded by ISG-15, which is being incorporated into the SRP. Reference 8 in this Regulatory Guide incorrectly uses the title and ADAMS accession number for ISG-4 from the Division of Fuel Cycle Safety and Safeguards. This regulatory guide should be revised accordingly.

Please do not hesitate to contact me if you have any questions.

Sincerely,



Everett L. Redmond II

Enclosure

c: Mr. E. William Brach, U.S. Nuclear Regulatory Commission
Mr. Nader Mamish, U.S. Nuclear Regulatory Commission
Mr. Raymond Lorson, U.S. Nuclear Regulatory Commission
Mr. Anthony Pietrangelo, Nuclear Energy Institute
Mr. Steven Kraft, Nuclear Energy Institute