

NOTE TO: FILE

DOCKET NOS.: 72-1015, 72-1025

SUBJECT: 09/20/2010, 1:00PM FOLLOW UP CONFERENCE CALL TO DISCUSS
NAC INTERNATIONAL NONCOMPLIANCE WITH 10 CFR 72.236(k)
REQUIREMENT TO LIST EMPTY SYSTEM WEIGHT ON CASK
NAMEPLATE (TAC NO. L24473)

ATTENDEES: NRC NAC International
Ray Wharton Tom Danner
Pamela Longmire, Ph.D. Tony Patko
Norma Garcia-Santos
Sarah Rich

DISCUSSION:

The NRC staff stated that an exemption would not be the appropriate resolution to the nameplate issue, as an exemption would only apply to casks loaded after the exemption was granted. Because the nameplate issue is an existing noncompliance issue, it needs to be resolved through the enforcement process.

The NRC staff recommended that NAC International submit a letter describing the noncompliance, how it was identified, and the corrective actions taken to prevent current and future casks from having the incorrect value on their nameplates. The letter should also include proposed actions to restore compliance with 10 CFR Part 72.236(k). Additionally, financial considerations and dose impacts should be included as well as an explanation of any alternatives that would meet the intent of the regulation. The letter should be addressed to either Douglas Weaver, Deputy Division Director for the Licensing and Inspection Directorate, or Vonna Ordaz, Division Director for Spent Fuel Storage and Transportation.

NAC International staff described three proposed actions they are considering. The first action would be to replace all the affected nameplates with new nameplates containing the empty system weight. This would be completed by NAC International staff with licensee (cask user) oversight, at a cost of about \$100,000 and an estimated dose of 5 to 6 person-rem. A second proposed action would be to stamp the correct empty system weight into the metal of the existing nameplates in an open space, in the same manner the nameplates are labeled with the cask loading date. This would be completed by either NAC International or licensee (cask user) staff during the annually scheduled cask maintenance activities, at a cost of about \$50,000 and 2 to 3 person-rem. The third proposed action would be to leave the nameplates as they currently are, but change the Final Safety Analysis Report (FSAR) under the 10 CFR 72.48 process to list the affected casks.

NAC International asked what the basis was for the requirement to list the empty system weight on the cask nameplates, since the cask systems are not intended to be moved around as a unit. NRC staff replied that the basis was to ensure that, when the time comes to transport the spent fuel offsite, the licensee (cask user) would know how heavy the system was and would be able plan accordingly. The staff further stated that based on the statements of consideration (54 FR 19379; May 5, 1989) when the 10 CFR Part 72 rule was revised to include the general license provision, compatibility with transportation and disposal were considered. Additionally, vendors had indicated that the cask systems would be dual purpose and the staff expected to them be moved as a unit.