ENERGY NORTHWEST

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10 CFR 72.44(b)(3)

U.S. Nuclear Regulatory Commission
ATTN: Document Control Desk
Washington, D.C. 20555-0001

Subject: **COLUMBIA GENERATING STATION, DOCKET NO. 50-397**
INDEPENDENT SPENT FUEL STORAGE INSTALLATION, DOCKET NO. 72-35
ACTIONS REGARDING NRC ENFORCEMENT DISCRETION LETTER NO. EA-09-190

Reference: Conversation Record dated December 15, 2009 (ML093510008)

Dear Sir or Madam:

The enclosed information is submitted in response to a US Nuclear Regulatory Commission (NRC) conversation record documenting a teleconference held December 1, 2009 between the NRC and Holtec Users Group (HUG). The purpose of the teleconference was to establish general licensee actions regarding NRC Enforcement Discretion letter EA-09-190 (ML092180140). The NRC Enforcement Discretion letter to Holtec International addressed a failure to obtain NRC approval prior to eliminating helium leak rate testing during fabrication of the welded confinement boundary.

Energy Northwest operates an independent spent fuel storage installation (ISFSI) as a general licensee. The Energy Northwest ISFSI has 12 HI-STORM multi-purpose canisters (MPCs) in active service that were not leak tested by Holtec. As documented in the conversation record, impacted users are requested to provide information related to MPCs that had not been leak tested which are currently in use. The requested information is included in the attachment to this letter.

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There are no regulatory commitments contained within this submittal. Should you have any further questions please contact Mr. DW Gregoire, Licensing Supervisor, at (509) 377-8616.

Respectfully,

DW Gregoire for

DW Coleman

Attachment: Actions Regarding NRC Enforcement Discretion Letter No. EA-09-190

cc: NRC Region IV Administrator
NRC NRR Project Manager
NRC Senior Resident Inspector/988C
RN Sherman – BPA/1399
WA Horin – Winston & Strawn

As documented in NRC Conversation Record, "Follow-up Actions Regarding NRC Enforcement Discretion Letter No. EA-09-190," dated December 15, 2009 (ML 093510008), impacted users are requested to provide information related to multi purpose canisters (MPCs) that had not been helium leak tested during fabrication. Information requested by the NRC is listed below and each request is followed by Energy Northwest's response.

1. **NRC Request:**

   Information that the thermal heat load for the spent fuel and internal helium conditions that had been loaded into the MPCs was bounded by the thermal and overpressure helium analysis provided by Holtec in corrective action response to EA-09-190. For MPCs with current heat loads above 21kW, the length of time that would elapse before the spent fuel heat load decays below 21kW should be provided.

   Energy Northwest Response:

   The Energy Northwest independent spent fuel storage installation (ISFSI) has 12 MPCs loaded (Certificate of Compliance 1014, Amendment 2) that were not helium leak tested during fabrication. All 12 MPCs were loaded with heat loads below 21 kW. The heat loads are less than the maximum heat loads allowed by the Certificate of Compliance (CoC). Also, the helium backfill for the 12 MPCs were within the CoC limits at the time of loading. Thus, the 12 MPCs are bounded by the thermal and over-pressure helium analysis provided in Holtec Report HI-2094407. The information in HI-2094407 was summarized in a Holtec letter to the NRC dated September 2, 2009 (ML092470363) in response to EA-09-190.

2. **NRC Request:**

   Information that site radiological monitoring programs had not detected any adverse effluent conditions related to use of the MPCs and that all measured site radiological parameters were within limits provided in 10 CFR 72.104.

   Energy Northwest Response:

   Energy Northwest has reviewed the results of the Radiological Environmental Monitoring Program (REMP) as well as thermoluminescent detector data from radiological surveys and direct ISFSI monitoring since February 22, 2008. The results of this review indicate no discernable increase in dose to the public as a result of storage of MPCs that were not helium leak tested. Results from the REMP program data for all time periods examined were within 10 CFR 72.104 limits.

3. **NRC Request:**

   Information that the MPC deficiency had been dispositioned for continued use through the site's non-conforming and corrective action program.

   Energy Northwest Response:

   The vendor's decision to eliminate helium leak testing during manufacture was entered into Energy Northwest's corrective action program via Condition Report (CR) 202299. During disposition of the CR, Energy Northwest reviewed information provided by Holtec as well as site dose measurements and concluded that the impacted ISFSI casks are operable. The work performed under CR 202299 (including submission of this letter) documents the basis for continued use of the affected casks.