July 7, 2011

Mr. Paul Davison, VP Operations Support
PSEG Nuclear LLC
PO Box 236
Hancocks Bridge, NJ 08038-0236

SUBJECT: RESPONSE TO NON-HELIUM LEAK TESTED HOLTEC MULTI-PURPOSE CANISTERS AS DESCRIBED IN ENFORCEMENT DISCRETION LETTER NO. EA-09-190

Dear Mr. Davison:

On May 25, 2010, PSEG Nuclear LLC, provided information (ADAMS Accession Number ML101550039) to the U.S. Nuclear Regulatory Commission (NRC) concerning a Holtec International violation of 10 CFR 72.48 as described in Enforcement Discretion letter No. EA-09-190 (ADAMS Ascension Number ML092470363). The violation involved the failure to obtain a Certificate of Compliance (CoC) amendment prior to implementing a change that eliminated helium leak rate testing of welded confinement boundaries on Multi-Purpose Canisters (MPCs) after fabrication. As a result, a total of eight MPCs were loaded at Hope Creek Nuclear Generating Station (HCNGS) without having performed the required helium leak rate test to demonstrate that the MPCs were leaktight.

The MPC's are required to be leaktight to demonstrate that all thermal and radiological performance requirements can be met under the maximum licensed conditions permitted in the CoC No. 72-1014, Amendment Nos. 2 and 3 for the Holtec HI-STORM 100 System. Your letter provided information related to the thermal loading and radiological monitoring conducted at the above mentioned site since the MPC's were placed into service. The NRC reviewed your information and noted the results of your assessment concluded that no additional dose from effluents needs to be added to the estimated direct dose calculated to demonstrate compliance with the site radiological boundary requirements of 10 CFR 72.104 at HCNGS since the MPCs were placed in service. In addition, the NRC reviewed the thermal information for the loaded MPCs and determined that the thermal performance requirements with heat loads ranging from 13.6kW to16.2kW would be met for a postulated helium leak rate consistent with the order of magnitude that could be detected by the hydro-static testing which is normally performed prior to placing the MPC in-service. The NRC considers this thermal analysis to be conservative since the postulated leak rate that could be detected through hydro-static testing is several orders of magnitude greater than what can be detected with the helium leak rate testing and also what has been reported by Holtec for all previous helium leak rate testing.

As a result, the NRC has determined that continued use of the loaded MPCs at HCNGS is acceptable and does not plan any further action with respect to the continued use of these MPCs.

In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice," a copy of this letter and your response, if you choose to provide one, will be made available electronically for public inspection in the NRC Public Document Room or from the NRC's document system (ADAMS), accessible from the NRC Web site at http://www.nrc.gov/reading-rm/adams.html. To the extent possible, your response should not include any personal privacy, proprietary, or safeguards information so that it can be made available to the Public without redaction.

Should you have any questions regarding this letter, please feel free to contact me at (301) 492-3294.

Sincerely,

/RA/

Eric J. Benner, Chief
Rules, Inspections, and Operations Branch
Division of Spent Fuel Storage and Transportation
Office of Nuclear Material Safety
and Safeguards

Docket Nos.: 72-048 and 50-354

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