

NOTE TO: FILE

DOCKET NOS: 72-1031

SUBJECT: CONFERENCE CALL HELD ON 8/30/2011 BETWEEN NRC AND NAC
REGARDING INNER-REBAR CAGE REMOVAL FROM THE
MAGNASTOR CASK SYSTEM DESIGN

ATTENDEES:	<u>NRC</u>	<u>NAC International</u>
	Benner, Eric	Seaman, Craig
	Waters, Mike	Danner, Tom
	Longmire, Pamela	Fowler, Wren
	Garcia-Santos, Norma	
	Wharton, Ray	

BACKGROUND:

NAC contacted SFST regarding removal of the inner rebar cage from the MAGNASTOR concrete cask. Based on the discussion NAC requested that NRC review the associated design change in the proprietary submittal dated August 12, 2011.

DISCUSSION:

On August 30, 2011, a telephone discussion was held between the NRC and NAC regarding NAC's August 12, 2011, submittal. In the submittal, NAC requested that the NRC review NAC's 10 CFR Part 72.48 determinations and supporting documentation. The submittal was for an NRC review of the NAC's application of American Concrete Institute (ACI) Standard ACI 349-85, "Code Requirements for Nuclear Safety Related Concrete Structures."

SFST stated that its understanding of NAC's request, based on previous discussion, was that NAC wanted to verify that the American Concrete Institute (ACI) code has been applied properly when NAC decided to remove the inner rebar cage of the MAGNASTOR concrete cask. NAC performed this change using the 72.48 process. SFST stated that it was not clear from the discussion that NAC would be requesting review and approval of the 72.48 determination performed to remove the inner rebar cage.

NAC clarified that the intent of sending the 72.48 determination and supporting documentation, including calculations, was to expedite the review process and to minimize the potential for a request for additional information involving their request. NAC further stated that they wanted to know if the use of the 72.48 was appropriate for the removal of the inner rebar cage from the aforementioned casks.

SFST noted that the 10 CFR 72.48 allows licensees or vendors to determine if changes can be made without prior NRC review and approval. The NRC's regulatory responsibility in the process is an oversight function carried out through inspection. Therefore, it is not appropriate for the NRC to review NAC's 72.48 determination outside of the inspection program. NAC questioned whether this request could be addressed through a 72.48 inspection conducted by

Region II. SFST stated that 72.48 inspections are within the scope of SFST's program area and are not normally delegated to the Regions.

The staff asked about the urgency and timing of this request. NAC pointed out that the timing of the request is to support McGuire's upcoming loading campaign. The staff stated that future communications need to address the basis of performing an expedited review, because that would inform resource and work priority decisions. SFST management also stated that unless the scope of the current request was narrowed, multiple reviewers would be required to complete the review and the completion timeframe would be a challenge.

SFST management asked NAC if they had requested interpretation of the code from ACI. NAC pointed out that ACI does not offer interpretation of the code. SFST management suggested narrowing the scope of NAC's request to the review of how the code was applied to the removal of the inner bar cage, but clarified that the NRC cannot offer interpretations of the ACI code and does not review of 72.48 determinations outside of the inspection program.

NAC would be following up with the licensee and NRC on this request.