

January 5, 2012

MEMORANDUM TO: Aby Mohseni, Deputy Division Director
Division of Spent Fuel Alternative Strategies
Office of Nuclear Material Safety
and Safeguards

FROM: James Rubenstone, Branch Chief **/RA/**
Science and Technology Branch
Division of Spent Fuel Alternative Strategies
Office of Nuclear Material Safety
and Safeguards

SUBJECT: SUMMARY OF DECEMBER 13 and 14, 2011 WEBINARS ON
EXTENDED STORAGE AND WASTE CONFIDENCE

On December 13 and 14, 2011, the U.S. Nuclear Regulatory Commission (NRC) and The Council of State Governments' Midwestern Office (CSG Midwest) co-hosted webinars to inform the public about the NRC's planned activities on technical and regulatory issues related to extended storage and transportation of spent nuclear fuel and on plans to develop a draft environmental impact statement for a possible update of the NRC's Waste Confidence decision. The NRC also sought input on how to best engage stakeholders on these programs in the future. The webinars provided another opportunity to those who were unable to participate in previous public meetings in September and October on the same topics. The information presented was the same as the information presented at the September and October meetings, which were held at NRC Headquarters and in Illinois and California. A list of the webinar attendees is attached to this summary. An audio recording and transcript of the webinars will be available by February 29 at <http://www.nrc.gov/waste/spent-fuel-storage/public-involvement.html>.

During the December 13 webinar, NRC staff gave an overview of NRC activities in extended storage and Waste Confidence. To provide context, James Rubenstone, a Branch Chief in the NRC's Office of Nuclear Material Safety and Safeguards (NMSS), presented an introduction and described the role of the agency in adapting to the changing national strategy for managing spent nuclear fuel. He stressed that the NRC's role is to protect the public and, to that end, the staff is working in an integrated and systematic fashion to understand the technical and regulatory issues and the potential environmental impacts associated with extended storage of spent nuclear fuel. Dr. Rubenstone then provided a program overview, highlighting the complementary nature of the Waste Confidence and Extended Storage and Transportation programs and describing similarities and differences in the types of information needed for the two programs. Christine Pineda, a project manager in NMSS, then described the current Waste Confidence decision and noted that the NRC is currently involved in a lawsuit regarding the

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2010 update of the Waste Confidence decision and rule. Ms. Pineda also described the staff's plan to develop an environmental impact statement (EIS) to address the impacts associated with long-term storage and transportation of spent nuclear fuel and high-level radioactive waste. Ms. Pineda described a preliminary EIS framework report that the staff is publishing for public comment. Ms. Pineda explained that the EIS will be developed to support a possible update of the Waste Confidence decision that would account for storing spent fuel for periods longer than 120 years. She stated that the EIS would provide the basis for a determination on whether to revise, in particular, Finding 4 of the Waste Confidence decision (the current decision is published in the *Federal Register*, at 75 FR 81037, December 23, 2010). She clarified that the update may result in a change to the rule (10 CFR 51.23), but that the staff will not determine whether the rule should be revised until the staff develops the analyses and conclusions for the draft EIS. She described the process for developing the long-term update, some of the staff's initial assumptions, and a proposed general methodology for the EIS.

During the December 14 webinar, the staff provided an overview of NRC activities in extended storage. Dr. Rubenstone presented the same introduction and programmatic overview that he presented during the December 13 webinar. He then discussed the purpose of and plans for the extended storage and transportation regulatory enhancement project. Dr. Rubenstone discussed the background and motivation for this program and described the multi-phased approach that staff intends to use to analyze the regulatory basis to account for the potential for the extended storage of spent nuclear fuel. He emphasized that NRC is at the beginning of a multiyear process that needs to be grounded in a thorough understanding of the technical issues associated with extended dry storage. He then described the current technical and regulatory framework for regulating spent fuel storage and gave some examples of technical and regulatory issues that staff might examine. He closed with a discussion of opportunities for stakeholder involvement and requested feedback on the best mechanisms for stakeholder engagement throughout the process.

The NRC received several comments and questions about both programs throughout the webinars, and this paragraph summarizes the comments received. NRC staff have captured the specific comments and are addressing them as appropriate in staff reports on extended storage and the preliminary EIS framework that are being released for public comment. Some attendees asked questions about the proposed scope of the EIS. For example, one person asked why the proposed EIS scope includes reprocessing when the United States has no reprocessing program. Two attendees asked about how the EIS would consider site-specific characteristics, including decommissioned and new reactor sites. Another attendee asked whether the NRC had considered evaluating long-term storage at reactor sites as *de facto* disposal at the sites, and another asked whether the EIS would look at a loss of control of spent fuel. An attendee noted that the agency's decisions concerning the safety of extended storage may have implications for the national spent fuel management policy. Other attendees asked questions about the technical aspects of extended storage. For example, attendees asked about the importance of cladding performance and about thermal load limits for cask systems. Some attendees were interested in aspects of transporting aged spent fuel, including the risk of severe transportation accidents and the maintenance of stored fuel in a condition amenable to transportation.

To close each webinar session, Dr. Rubenstone provided a summary of the comments and questions that were raised in the webinar.

The webinars were Category 3 public meetings. The NRC staff presentations may be found on the web site (<http://www.nrc.gov/waste/spent-fuel-storage/public-involvement.html>) and in

NRC's Agencywide Documents Access and Management System (ADAMS) through the following Accession Numbers:

ML11343A240 - NRC's Plan for Extended Storage and Transportation and Related Waste Confidence Considerations (James Rubenstone)

ML11343A244 - Overview of NRC Program Plans for Updating the Waste Confidence Decision and Extended Storage and Transportation (James Rubenstone)

ML11343A143 - Waste Confidence Decision: Background, Waste Confidence Update for Long-Term Storage (Christine Pineda)

ML11343A196 - Enhancing the Technical and Regulatory Bases for Extended Storage and Transportation of Spent Nuclear Fuel (James Rubenstone)

Enclosure:

1. List of meeting attendees

NRC's Agencywide Documents Access and Management System (ADAMS) through the following Accession Numbers:

ML11343A240 - NRC's Plan for Extended Storage and Transportation and Related Waste Confidence Considerations (James Rubenstone)

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ML11343A196 - Enhancing the Technical and Regulatory Bases for Extended Storage and Transportation of Spent Nuclear Fuel (James Rubenstone)

Enclosure:

1. List of meeting attendees

DISTRIBUTION:			
J. Piccone, NMSS	K. Wood, NRR	A. Malliakos, FSME	R. Einziger, NMSS
N. Sanfilippo, OEDO	T. Ulses, NRR	K. Hsueh, FSME	M. Waters, NMSS
J. Guttman, NMSS	F. Sturz, NSIR	B. Hill, NMSS	D. Dorman, NMSS
M. Gavrilas, RES	L. Kokajko, NMSS	S. Wastler, NSIR	RidsOPAMail Resource
E. BowdenBerry, OGC	D. McIntyre, OPA	A. Mohseni, NMSS	C. Haney, NMSS
T. Campbell, OGC	M. Young, OGC	RidsAcraAcnw_MailCTR	RidsEDOMailCenter
L. London, OGC	J. Rubenstone, NMSS	W. Reckley, NRO	K. Stablein, NMSS
RidsNMSSOD	D. Weaver, NMSS	M. Weber, OEDO	T. McCartin, NMSS
B. Jones, OGC	C. Pineda, NMSS	C. Jacobs, NMSS	

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DATE	01/04/2012	01/04/2012	01/05/2012

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**UNITED STATES
NUCLEAR REGULATORY COMMISSION**

ATTENDEES

Waste Confidence Informational Webinar

December 13, 2011

Name	Organization
Jane Beetem	Missouri Department of Natural Resources
Ralph Best	n/a
Thomas Breckenridge	n/a
Cathrynn Brown	New Mexico House of Representatives
Anne deLain W Clark	New Mexico Energy, Minerals, & Natural Resources Department
Timothy Clark	Ohio Department of Public Safety
Patrick Dostie	State of Maine
Earl Easton	Nuclear Regulatory Commission
Arnold Edelman	Department of Energy
Teri Engelhart	Wisconsin Emergency Management
Everett Redmond	Nuclear Energy Institute
John-Paul Garcia	Texas Department of Public Safety
Alan Goldey	Maryland Department of the Environment
Carl Holmes	Kansas House of Representatives
Kelly Horn	Illinois Emergency Management Agency, Division of Nuclear Safety
William Hurt	Idaho National Laboratory
Rich Janati	Pennsylvania Department of Environmental Protection
Miriam Juckett	Center for Nuclear Waste Regulatory Analyses
Gregory Kaylor	New Hampshire Department of Safety, Homeland Security and Emergency Management
Nancy Lageson	State of Minnesota
Kevin Leuer	State of Minnesota
Terrance Lively	West Virginia Division of Homeland Security & Emergency Management
Phil Mahowald	Prairie Island Indian Community
Juan Montesinos	n/a
Richard Moore	Eureka County, Nevada

n/a = not applicable (no organization identified)

ENCLOSURE



**UNITED STATES
NUCLEAR REGULATORY COMMISSION**

ATTENDEES

Waste Confidence Informational Webinar

December 13, 2011

Name	Organization
Connie Nakahara	State of Utah
Marc Nichol	Nuclear Energy Institute
Stephen O'Connor	Department of Energy, Office of Packaging and Transportation
John Parkyn	Private Fuel Storage
Robert Pauline	Center for Nuclear Waste Regulatory Analyses
Jonathan Pollack	GeoDecisions
Everett Redmond	Nuclear Energy Institute
James Rhoades	Waste Isolation Pilot Plant
Cort Richardson	The Council of State Governments
Tim Runyon	Illinois Emergency Management Agency, Division of Nuclear Safety
Mike Rutherford	Texas Department of Health
Catherine Shelton	Transnuclear
Laura Tomaka	The Council of State Governments
Michael Voegele	n/a
Rae Walker	Texas Department of State Health Services
Michael Wangler	Department of Energy
JiYoung Wiley	Louisiana Department of Environmental Quality
Mark Yeager	South Carolina Department of Health & Environmental Control

n/a = not applicable (no organization identified)



**UNITED STATES
NUCLEAR REGULATORY COMMISSION**

ATTENDEES

Extended Storage and Transportation
Informational Webinar

December 14, 2011

Name	Organization
Christopher Amaro	Texas Department of State Health Services
Patrick Anderson	Missouri Department of Natural Resources
Jeannette Arce	Nuclear Regulatory Commission
Jane Beetem	Missouri Department of Natural Resources
Ralph Best	n/a
Joshua Clements	California Highway Patrol
Cherie Cornelius	Alabama Emergency Management
Fred Dilger	n/a
George Dixon	Department of Energy
Patrick Dostie	State of Maine
Earl Easton	Nuclear Regulatory Commission
Jeff Galan	Savannah River Site
John-Paul Garcia	Texas Department of Public Safety
Alan Goldey	Maryland Department of the Environment
Sarah Hoffman	Vermont Department of Public Service
Carl Holmes	Kansas House of Representatives
Kelly Horn	Illinois Emergency Management Agency, Division of Nuclear Safety
Rich Janati	Pennsylvania Department of Environmental Protection
Jay Jones	Department of Energy
Miriam Juckett	Center for Nuclear Waste Regulatory Analyses
Gregory Kaylor	New Hampshire Department of Safety, Homeland Security and Emergency Management
Andrea Kock	Nuclear Regulatory Commission
Kevin Leuer	State of Minnesota
Terrance Lively	West Virginia Division of Homeland Security & Emergency Management
Juan Montesinos	n/a
Richard Moore	Eureka County, Nevada
Ram Murthy	Department of Energy
Marc Nichol	Nuclear Energy Institute
Stephen O'Connor	Department of Energy, Office of Packaging and Transportation

n/a = not applicable (no organization identified)



**UNITED STATES
NUCLEAR REGULATORY COMMISSION**

ATTENDEES

Extended Storage and Transportation
Informational Webinar

December 14, 2011

Name	Organization
Scott Palmer	Brotherhood of Locomotive Engineers and Trainmen
John Parkyn	Private Fuel Storage
Robert Pauline	Center for Nuclear Waste Regulatory Analyses
Jodi Porter	New Mexico Energy, Minerals & Natural Resources Department
Cort Richardson	The Council of State Governments
Steven Ross	Pacific Northwest National Laboratory
Tim Runyon	Illinois Emergency Management Agency, Division of Nuclear Safety
Mike Rutherford	Texas Department of State Health Services
John Schrader	REVISS Services, Inc.
Catherine Shelton	Transnuclear
Rebecca Smith	Idaho National Laboratory
Michael Snee	Ohio Department of Health
Siegfried Stockinger	Department of Energy
Sandra Threatt	South Carolina Department of Health & Environmental Control
Laura Tomaka	The Council of State Governments
Michael Voegele	n/a
Michael Wangler	Department of Energy
JiYoung Wiley	Louisiana Department of Environmental Quality
Sarah Wochos	Environmental Law and Policy Center
Ken Yale	State of Michigan
Kevin Zeller	Washington State Patrol

n/a = not applicable (no organization identified)