

November 5, 2013

Ms. Diane Curran
Harmon, Curran, Spielberg & Eisenberg, LLP
1726 M Street N.W., Suite 600
Washington, DC 20036

Dear Ms. Curran:

On behalf of the U.S. Nuclear Regulatory Commission (NRC), I am responding to your concerns regarding the NRC process for consideration of expedited transfer of spent nuclear fuel discussed in your August 23, 2013, letter. The NRC drafted the Consequence Study of a Beyond-Design-Basis Earthquake Affecting the Spent Fuel Pool for a U.S. Mark I Boiling Water Reactor (Spent Fuel Pool Study) to determine if accelerated transfer of older, colder spent fuel from the spent fuel pool at a reference plant to dry cask storage significantly reduces risks to public health and safety. The draft Spent Fuel Pool Study was issued for public comment in July 2013 and finalized in October 2013. The NRC has developed an associated regulatory analysis to help the NRC determine whether or not the NRC should undertake regulatory action to expedite the transfer of spent nuclear fuel from pools to dry cask storage.

We appreciate that numerous organizations you represent in your letter have views on this important subject. The NRC reviewed your written comments on the draft Spent Fuel Pool Study and addressed them in Appendix E of the final Spent Fuel Pool Study. We also understand your concern that the scope of the August 22, 2013, public meeting was not clear in the meeting notice, and that the meeting did not meet the expectations of you and your clients.

In light of the high level of interest and the number of people who wished to speak but were not able to do so before the August meeting ended, the NRC staff held a follow-up public meeting on September 18, 2013. The scope of this meeting included: 1) the NRC staff's activities regarding a determination of whether regulatory action is needed to require expedited transfer of spent nuclear fuel to dry cask storage at all plants, and 2) the use of the draft Spent Fuel Pool Study and other sources of information in the staff's assessment. The NRC staff took this opportunity to hear from the public to ensure that it answered their questions and understood their concerns about the Spent Fuel Pool Study and the NRC's efforts regarding whether additional regulatory action or study is needed to ensure the continued safety of spent nuclear fuel.

Thank you for your participation and for organizing the participation of other groups and individuals. The staff intends to provide a paper and recommendations to the Commission on expedited transfer this November. The Commission is planning to have a public meeting on this topic before making our decision and providing direction on this matter. Thank you for sharing your concerns on this matter.

Sincerely,

/RA/

Allison M. Macfarlane