

May 19, 2014

MEMORANDUM TO: Sheldon D. Stuchell, Acting Chief
Generic Communications Branch
Division of Policy and Rulemaking
Office of Nuclear Reactor Regulation

FROM: Serita Sanders, Project Manager */RA by Tanya Mensah for/*
Generic Communications Branch
Division of Policy and Rulemaking
Office of Nuclear Reactor Regulation

SUBJECT: SUMMARY OF APRIL 14, 2014, CATEGORY 2 PUBLIC
MEETING WITH PUBLIC STAKEHOLDERS TO DISCUSS
DRAFT GENERIC LETTER 2014-XX, "MONITORING OF
NEUTRON-ABSORBING MATERIALS IN SPENT FUEL POOLS"

On April 14, 2014, a public meeting was held between the U.S. Nuclear Regulatory Commission (NRC) and public stakeholders at NRC Headquarters, Two White Flint North, 11545 Rockville Pike, Rockville, Maryland. The purpose of this meeting was to present draft Generic Letter (GL) 2014-XX, "Monitoring of Neutron-Absorbing Materials in Spent Fuel Pools," posted on March 11, 2014, in the *Federal Register* (79 FR 13685) for public comments. A list of attendees is provided as an Enclosure.

The presentation (Agencywide Documents Access and Management System (ADAMS) Accession No. ML14101A157) resulted in a good discussion between NRC staff and external stakeholders. A meeting transcript is provided under ADAMS Accession No. ML14120A242.

This Category 2 public meeting was held to provide the public with an opportunity to: (1) seek guidance in compliance with the requests of the GL (response preparation) and ask clarifying questions on the content, analysis, resource expenditures, or other items that might need explaining. In addition, the NRC discussed the history, background, and the regulatory bases for this GL.

The purpose of this meeting summary is to briefly describe the meeting, its participants, and to summarize the meeting outcome. There were 35 participants in attendance at this meeting location of which 14 participants were from the general public. Also, there were 16 attendees by conference call.

Discussion

Following the introduction of the NRC panelist conducting the presentation, Ms. Serita Sanders, Project Manager, from the Division of Policy and Rulemaking, Office of Nuclear Reactor Regulation, described the background and purpose of the meeting. Ms. Sanders emphasized that any comments from stakeholders on the draft GL should be formally submitted via www.regulations.gov.

Presentation

The NRC provided a comprehensive presentation that included the neutron absorbing material's regulatory basis history and background. The presentation briefly described the inadvertent criticality event that the NRC regulations on spent fuel pool (SFP) subcriticality are intended to prevent. The relevant NRC regulations, Title 10 of the *Code of Federal Regulations*, Section 50.68, "Criticality accident requirements" and General Design Criterion 62, were referenced, and the typical approach used by power reactor licensees to demonstrate compliance was outlined. In particular, the use of neutron-absorbing material in the SFP as a means of compliance was highlighted. NRC concerns with degradation or deformation of different neutron-absorbing materials, namely, Boraflex, Boral, and Carborundum, were also discussed.

An overview of past regulatory actions related to neutron-absorbing materials was presented. Issues with Boraflex have been known since the 1970s, but the past five years have brought increased investigation and interactions with the industry. Multiple concerns have been identified with existing programs to verify regulatory compliance, based on recent operating experience, technical review of monitoring methodologies, and evaluation of existing regulatory guidance. This led the NRC to determine that there was a need to collect sufficient information from all SFP licensees to evaluate against recent knowledge and confirm continued regulatory compliance.

The GL was presented as the vehicle for this information collection. The staff emphasized that the NRC is not requesting any new analyses, research, or program development. Licensees are expected to respond to the GL to the best of their ability, and NRC will close the GL for each licensee when it is determined that the response is accurate and complete with respect to currently available information. The NRC will use the collected information to verify regulatory compliance. Any noncompliance or issues identified will be pursued through the appropriate regulatory process, with any backfit issues being addressed as part of that process. The NRC clarified that while there was a safety concern, it is not an immediate one due to the large margins in existing regulations and analyses.

The presentation concluded by addressing licensees other than the Part 50 licensees. Specifically, nonpower reactors (research and test reactors) may credit neutron-absorbing materials for their criticality analyses, so they were included as addressees for this GL. Due to differences in the regulatory structure governing such reactors, the information being requested differs but achieves the same basic purpose. Part 52 licensees were not included as addressees to this GL because they already provided SFP design and analysis information as part of their licensing process and details about current neutron-absorbing material condition and monitoring programs are not applicable due to the fact that SFP operations have not yet begun.

Questions and Answers

A good discussion was generated with the NRC staff as a result of the questions asked by NRC stakeholders. Participants inquired about the type and amount of information that the NRC requested and how it would be utilized. In response, the NRC acknowledged that the information to be collected covers more than neutron absorber monitoring programs; yet, the information is necessary to understand exactly what a licensee is doing for its specific monitoring program. For newer materials, the NRC wants to get a better understanding of this

material before any significant degradation occurs. There were questions that were more administrative in nature regarding the final issuance date for the GL. Until all comments are submitted and dispositioned the NRC cannot estimate or predict a schedule. The time estimates documented in this GL for response preparation were challenged by some participants. The NRC provided resource expenditure estimates and stated that it is open to receiving realistic feedback on a licensee's actual resource expenditure to fulfill the GL request. The NRC has provided a transcript of this meeting, such that the public can review each question and NRC response.

There was one question regarding the NRC's consideration of the cumulative effects of regulations (CER). It is worth noting that the NRC included a section in the draft GL that went out for public comment, to allow the public to provide input on the CER impacts.

Finally, in response to a question from the public, the NRC staff clarified that when responding to the GL it would be acceptable for licensees to reference past docketed correspondence if the information remains accurate.

Conclusion

In general, the staff found the meeting to be effective towards facilitating discussion with NRC stakeholders on the draft GL. The NRC staff's goal to provide a more comprehensive understanding of the generic letter's purpose, intent, resource estimates, etc. was achieved.

At the meeting conclusion, the staff solicited feedback from the stakeholders in attendance and from telephone participants to receive their questions. This opportunity garnered meaningful dialogue with NRC stakeholders and allowed the staff to provide clarity and context to cited areas of the draft GL.

Enclosure:
List of attendees

LIST OF ATTENDEES

APRIL 14, 2014 PUBLIC MEETING

REGARDING DRAFT GENERIC LETTER 2014-XX

MONITORING OF NEUTRON-ABSORBING MATERIALS IN SPENT FUEL POOLS

Participants in Attendance

<u>NAME</u>	<u>AFFILIATION</u>
Serita Sanders	NRC
Spyros Traiforos	NRC
Matthew Yoder	NRC
Emma Wong	NRC
Greg Schoenebeck	NRC
Chad Goodrich	NRC
Tanya Mensah	NRC
Todd Keene	NRC
Don Algama	NRC
Scott Krepel	NRC
Kent Wood	NRC
Christopher Jackson	NRC
April Pulvirenti	NRC
Brian Smith	NRC
Christopher Hunt	NRC
Andrew Yeshnik	NRC
Davida Cunanan	NRC
Marioly Diaz Colon	NRC
Allen Hiser	NRC
Gloria Kulesa	NRC
Eduardo Sastre	NRC
Bob Hall	Dominion
Hatice Akkurt	EPRI
Brian Mann	EXCEL Services
Jeff Dunlap	Exelon
Laszlo Zsidai	Holtec
Xunho ICIM	KHNP
Kris Cummings	NEI
Rod McCullum	NEI
Matt Harris	NETCO
Spencer Feuerstein	NETCO
Scot Leuenroth	NETCO
Jana Bergman	Scientech CW
Robin D. Jones	SNC
Zita Martin	TVA

Enclosure

Participants On Bridge Line

<u>NAME</u>	<u>AFFILIATION</u>
Mourad Aissa	NRC
Aloysius Obodoako	NRC
John McCulloch	Arizona Public Services
Nancy Chapman	Bechtel Power Corp
Matthew Kirkland	DTE Energy
Ryan Holman	Entergy
Roger Waters	Entergy at Indian Point
Donald Kosloff	FENOS
David Overton	First Energy Nuclear Operating Co.
Dristen Bennett	GE Hitachi Nuclear
Marvin Lewis	Individual
Kelley Sheperd	Individual
Ruth Thomas	Individual
Emilio Fuentes	Next Era Energy
Courtney Thomas	Next Era Energy
Steven Dolley	Platts

material before any significant degradation occurs. There were questions that were more administrative in nature regarding the final issuance date for the GL. Until all comments are submitted and dispositioned the NRC cannot estimate or predict a schedule. The time estimates documented in this GL for response preparation were challenged by some participants. The NRC provided resource expenditure estimates and stated that it is open to receiving realistic feedback on a licensee's actual resource expenditure to fulfill the GL request. The NRC has provided a transcript of this meeting, such that the public can review each question and NRC response.

There was one question regarding the NRC's consideration of the cumulative effects of regulations (CER). It is worth noting that the NRC included a section in the draft GL that went out for public comment, to allow the public to provide input on the CER impacts.

Finally, in response to a question from the public, the NRC staff clarified that when responding to the GL it would be acceptable for licensees to reference past docketed correspondence if the information remains accurate.

Conclusion

In general, the staff found the meeting to be effective towards facilitating discussion with NRC stakeholders on the draft GL. The NRC staff's goal to provide a more comprehensive understanding of the generic letter's purpose, intent, resource estimates, etc. was achieved.

At the meeting conclusion, the staff solicited feedback from the stakeholders in attendance and from telephone participants to receive their questions. This opportunity garnered meaningful dialogue with NRC stakeholders and allowed the staff to provide clarity and context to cited areas of the draft GL.

Enclosure:
List of attendees

DISTRIBUTION:

PUBLIC

RidsNrrPGCB	SSanders, NRR	MYoder, NRR	CJackson, NRR
RidsNrrDss	SKrepel, NRR	APulvirenti, RES	BSmith, NRR
RidsNrrDe	KWood, NRR	SStuchell, NRR	CHunt, NRR
RidsAcrsAcnwMailCenter	ESastre, NRO	AYeshnik, NRO	DCunanan, NRR
STraiforos, NRR	MDiaz, NRR	AHizer, NRR	GKulesa, NRR
EWong, NMSS	TMensah, NRR	CGoodrich, NSIR	GSchoenebeck, NSIR
TKeene, NRR	DAlgama, RES	MAissa, RES	

ADAMS Accession Nos.: ML14135A068 (Pkg); ML14129A404 (Summ.); ML14120A242 (Transcript); ML14086A675 (Notice) *concurring via email

NRC-001

OFFICE	NRR/DPR/PGCB	NRR/DPR/PGCB	NRR/DPR/PGCB*	NRR/DPR/PGCB
NAME	SSanders	CHawes (PBlechman for)	SStuchell	SSanders (TMensah for)
DATE	5/9/2014	5/12/2014	5/15/2014	5/19/2014

OFFICIAL RECORD COPY