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NUCLEAR ENERGY INSTITUTE

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Ms. Cindy K. Bladey
Office of Administration,
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U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

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RULES AND DIRECTIVES
SECTION 1
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Subject: NEI Comments on Draft Interim Staff Guidance (ISG)-2, Revision 2, "Fuel Retrievability in Spent Fuel Storage Applications," 80FR63843 (Docket ID NRC-2015-0241)

Project Number: 689

Dear Ms. Bladey:

On behalf of the nuclear energy industry, the Nuclear Energy Institute (NEI)¹ appreciates the opportunity to provide comments on the proposed draft ISG-2, Revision 2, "Fuel Retrievability in Spent Fuel Storage Applications." NEI commends the NRC's Division of Spent Fuel Management in the Office of Nuclear Materials Safety and Safeguards for its efforts to implement risk-informed, performance-based improvements to the regulatory process of dry cask storage and transportation. The proposal to allow demonstration of "ready retrievability"² on a canister or cask basis, rather than on a fuel assembly basis, is consistent with the extremely low risks associated with the robust, passively-cooled dry storage systems in use in the United States. This change provides a firmer regulatory and technical basis by relying principally on the package design instead of the system contents to ensure public health and safety. Finally, and most importantly, this change corrects an unintended consequence of the existing definition of retrievability, which could result in licensees unnecessarily repackaging spent fuel storage casks for non-safety related reasons. Focusing the NRC's regulatory guidance in this manner represents a significant enhancement to worker and public health and safety.

¹ The Nuclear Energy Institute (NEI) is the organization responsible for establishing unified industry policy on matters affecting the nuclear energy industry, including the regulatory aspects of generic operational and technical issues. NEI's members include all entities licensed to operate commercial nuclear power plants in the United States, nuclear plant designers, major architect/engineering firms, fuel cycle facilities, nuclear materials licensees, and other organizations and entities involved in the nuclear energy industry.

² See 10 CFR 72.122(l).

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Additional comments are provided in the attachment to this letter.

I look forward to continuing to work with NRC staff to finalize this important guidance document. Please do not hesitate to contact me at any time with questions.

Sincerely,



Kristopher W. Cummings

Attachment

c: Mr. Scott W. Moore, NMSS, NRC
Mr. Mark D. Lombard, NMSS/DSFM, NRC
Mr. Anthony H. Hsia, NMSS/DSFM, NRC
Ms. Emma L. Wong, NMSS/DSFM/IOB, NRC
Mr. Haile K. Lindsey, NMSS/DSFM/IOB, NRC

Specific Comments on Draft ISG-2, Revision 2, "Fuel Retrievability in Spent Fuel Storage Applications"

Page	Section	Comment
NA	NA	Conforming changes should be identified and implemented in other NRC documents that currently rely on the fuel-based definition of retrievability such as, but not limited to Inspection Procedures IP-60854 and IP-60855. The NRC should reevaluate ISG-1, Revision 2 "Classifying the Condition of Spent Fuel for Interim Storage and Transportation Based on Function" in light of ready retrieval being defined on a canister/cask basis.
NA	NA	How would this change be implemented in loaded spent fuel storage casks? Would CoC holders need to request an amendment to the CoC, and general licensees need to then process the paperwork to certify that existing canister/casks meet the new Amendment requirements? Please clarify how the revised definition of ready retrieval could be implemented for the over 2,200 loaded dry storage systems.
2	Technical Review Guidance, 1 st & 4 th paragraph	Clarify what is meant by "operational safety problems" in the new definition of ready retrieval. 10 CFR 72.122(h) includes the use of similar language with regard to degradation of the enclosed fuel assemblies, but it is unclear how this applies to a dry storage cask/canister that is in compliance with its Technical Specification.
2	Technical Review Guidance, 3 rd paragraph	The last sentence in this paragraph discusses inclusion of Technical Specifications for SSCs relied upon for ready retrieval. The current paradigm of ready retrieval on a fuel assembly basis already requires maintenance of SSCs associated with the canister/cask. Adding additional Technical Specification requirements for ready retrieval is not consistent with PRM 72-7, which requests Technical Specification requirements to be focused on safety criteria. We recommend deleting this sentence.
2	Technical Review Guidance, 4 th paragraph	This paragraph uses terminology that is not consistent with ISG-1, Revision 2, "Classifying the Condition of Spent Nuclear Fuel for Interim Storage and Transportation Based on Function", such as "structurally-unsound." We recommend revising this paragraph to be consistent with ISG-1, Revision 2 to avoid confusion.

Page	Section	Comment
3	Technical Review Guidance, 3 rd through 7 th paragraphs	<p>These paragraphs only refer to the ISFSI licensee or applicant. While it is understood that the ISFSI licensee will be responsible for demonstrating the ability to achieve ready retrievability from an operational perspective, it would be useful to also recognize the role of the Certificate of Compliance (CoC) holder to describe in a CoC application or license amendment request how ready retrieval can be achieved based on the new definition. This would make the ISG consistent with the approach CoC holders have taken to address the current fuel-assembly-based retrievability definition in approved CoCs.</p>
3	Technical Review Guidance, 6 th and 7 th paragraph	<p>The last sentence in the 6th paragraph states that one possible approach for demonstrating ready retrieval is to "implement a program designed to identify, monitor and mitigate possible degradation..." It should be clarified that this program would only be after the initial period of operation (i.e., the initial license term). The current design and licensing basis of dry storage systems is that there are no degradation mechanisms that would lead to a loss of intended function in the first license period. The NRC should evaluate this requirement as a backfit to the existing loaded canisters that already require retrievability of the canister/cask under the current definition.</p> <p>At a minimum it should be clarified what this program entails and how it differs from the aging management programs associated with license renewal to avoid confusion amongst licensees, CoC holders and dry storage system users.</p>
3	Recommendation, last paragraph	<p>Since NUREG-1927, Revision 1 is currently in draft form, the update to the definition of ready retrievability should be incorporated into the final version of NUREG-1927, Revision 1.</p>