

Rulemaking1CEm Resource

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TITLE: Regulatory Improvements for Decommissioning Power Reactors

COMMENT#: 113

From: Donald Mosier [mailto:donaldmosier44@gmail.com]
Sent: Friday, March 18, 2016 5:46 PM
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Subject: [External_Sender] NRC Docket NRC-2015-0070

Until nuclear irradiated spent fuel is removed from the site the following actions need to be taken:

- **Continue requirements for (and no exemptions from) on-site and off-site emergency planning.**
- **Require on-site and off-site continuous radiation monitoring and public reporting in real time.**
- **Retain experienced, trained and certified staff for all critical functions.**
- **Resolve current short-term aging management issues.** Existing dry storage used in the U.S. was not designed for even short-term storage (as defined by the NRC as up to 120 years). Canisters may start failing after 20 or 30 years from initial loading. We are close to the 30 year mark for some canisters, yet no solutions are in place. (See U.S. Nuclear Spent Fuel Storage Canisters/Casks loaded as of June 2013 <http://bit.ly/drycasks2013>). Both safety and funding need to be addressed, especially if the controversial use or misuse of decommissioning trust funds monies for irradiated spent fuel storage is allowed. Examples of critical issues:
 - **Thin-walled (1/2" to 5/8") stainless steel canisters used at most U.S. facilities cannot be inspected (even on the outside), repaired, maintained, or monitored prior to a radiation release, and are subject to cracking, with leaking occurring in as little as 16 years after crack initiation.**
 - **Thin canister interiors cannot be inspected, but may have short-term degradation.** Recent information from TEPCO in Japan shows the aluminum alloy baskets used in the casks may not last 60 years. Japan has discontinued using aluminum alloy baskets. This issue needs to be evaluated by the NRC to assess impact for U.S. storage. The majority of U.S. utilities use thin canisters with welded lids. NRC and the licensees must adequately address the condition of the baskets without destroying the canisters. How will this be accomplished? Are the U.S. aluminum alloy baskets subject to the same degradation?

Where is the funding for replacement canisters and removal of the failed canisters and concrete overpacks?

- **Increase financial assurances.** Utilities should provide legally binding financial assurances that they can maintain and manage the irradiated spent fuel for as long as needed, including funding to recontainerize irradiated spent fuel assemblies as needed.
- **Require replacement plan and funding.** Current NRC exemptions have allowed trust fund money to be used without a plan in place for any replacement or repair needs for canisters or other mitigation.
- **Do not assume the DOE will pick up fuel by a certain date until an approved facility is built and approved for shipments.** There is no conservative basis to assume otherwise and the NRC's Continued Storage decision confirms this.
- **Retain irradiated spent fuel pool(s) even after emptied until an alternative means is identified to repair or replace dry storage canisters and failing fuel assemblies.** The alternative means should be specifically defined, funded, approved, and have provisions in place before pool(s) are destroyed. Currently, NRC requires pools for mitigation of canister or fuel failure for operating reactors, yet is allowing them to be destroyed without an adequate approved replacement plan in place or even funding for a plan at closed reactors. The option to repair thin canisters does not exist, so should not be considered a valid plan.
- **Meet transportation requirements.** NRC regulations prevent transport of canisters with even partial cracks. Without a pool there is no plan or funding in place that would address canisters that may be cracked or have some other condition that would prevent transport. Meet DOE Standard Contract requirements. DOE requires fuel retrievability at the fuel assembly level. This cannot be done without the pool and must be addressed in decommissioning and irradiated spent fuel management design and funding.
- **Increase state authority over the decommissioning process, irradiated spent fuel management and related funding.** Continuing to allow utilities to use large amounts of limited trust fund monies and make major decision without state oversight or even NRC oversight until after the fact is not regulating. It puts ratepayers and taxpayers at risk and limits or eliminates funds for potentially needed safety related items.

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