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April 12, 2016

Mr. Mark Lombard
Director
Division of Spent Fuel Management
Office of Nuclear Materials Safety and Safeguards
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Subject: Proposed RIRP Issue Screening Form and Resolution Plan for Improving the Efficiency of the Regulatory Framework for Dry Storage of Spent Nuclear Fuel

Project Code: 689

Dear Mr. Lombard:

Over the past six years, U.S. Nuclear Regulatory Commission (NRC) staff and industry have engaged in a significant amount of dialogue concerning our mutual interest in improving the efficiency of the regulatory framework for dry storage. This dialogue has largely revolved around efforts to develop a more risk-informed regulatory structure. Yet, as of today, these efforts have made little progress, and the licensing of dry storage systems under 10 CFR Part 72 remains a highly inefficient process that consumes an inordinate amount of NRC and industry resources. At last November's NRC Division of Spent Fuel Management Regulatory Conference 2015 (DSFM REG CON) we discussed the possibility that the Nuclear Energy Institute's (NEI)¹ Regulatory Issue Resolution Protocol (RIRP)² could be applied to address this issue.

In response to this discussion, NEI and the industry have considered the efforts conducted to-date and have developed a proposal to apply the RIRP to achieve a risk-informed solution to the existing inefficiencies in

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 This protocol is described in NEI 10-03, Used Fuel Storage and Transportation Issue Resolution Protocol – A Methodology for Resolving Issues with Generic Implications, submitted to NRC in April 2010.

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the dry storage regulatory framework. This proposal is described in the attached RIRP Screening Form (Attachment 1) and Resolution Plan (Attachment 2). We believe that the Screening Form properly characterizes the issue and success criteria that, if achieved, would constitute an appropriate solution. We also believe that the Resolution Plan provides a workable set of actions by the industry and the NRC to ensure that the success criteria are achieved. We believe that NRC engagement with industry on this RIRP would represent a very important step toward regulatory predictability and stability for dry spent fuel storage—one very much in the spirit of NRC’s Project AIM 2020.³

We would welcome NRC feedback on this proposal, and, accordingly, we request that a public meeting be scheduled to discuss it in May of this year. The industry is interested in reaching closure on this issue in a timely manner. Please do not hesitate to contact me if you have any questions.

Sincerely,



Rod McCullum

Attachments

c: Mr. Scott W. Moore, NMSS, NRC

³ Project AIM 2020 Report and Recommendations” SECY-15-0015, January 30, 2015.