



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

July 21, 2016

MEMORANDUM TO: Anthony H. Hsia, Deputy Director
Division of Spent Fuel Management
Office of Nuclear Material Safety
and Safeguards

FROM: Kristina L. Banovac, Project Manager /RA/
Renewals and Materials Branch
Division of Spent Fuel Management
Office of Nuclear Material Safety
and Safeguards

SUBJECT: SUMMARY OF JULY 14, 2016, MEETING WITH DOMINION TO
DISCUSS THE RELATIONSHIP AND TIMING OF THE REVIEWS OF
THE AMENDMENT REQUEST AND THE RENEWAL APPLICATION
FOR THE NORTH ANNA INDEPENDENT SPENT FUEL STORAGE
INSTALLATION LICENSE (SNM-2507) (CAC NO. L25121)

Background

On July 14, 2016, a teleconference meeting was held between representatives of Dominion and the U.S. Nuclear Regulatory Commission (NRC) to discuss the relationship and timing of the reviews of the high-burnup fuel (HBF) amendment request and the renewal application for the North Anna Independent Spent Fuel Storage Installation (ISFSI) license, SNM-2507. The list of meeting attendees is provided in Enclosure 1.

The meeting was noticed on June 30, 2016 (Agencywide Documents Access and Management System Accession No. ML16182A487).

Discussion

The meeting discussion followed the meeting agenda, which is provided in Enclosure 2. There were no presentations. The NRC staff provided information on the relationship of the two licensing requests from Dominion related to the North Anna ISFSI to open the discussion between Dominion and NRC staff.

The license amendment request seeks authorization to store HBF in a modified TN-32B cask, and it is currently under review by the NRC staff. The storage of the HBF cask at the North Anna ISFSI is requested in support of the planned U.S. Department of Energy (DOE) and Electric Power Research Institute High Burnup Dry Storage Cask Research and Development Project (HDRP). Staff expects to complete its review of the license amendment request in the fall of 2016.

The license renewal application was received on June 1, 2016. The submittal of the renewal application was timely per the requirements of 10 CFR 72.42(b). The application reflects the North Anna ISFSI current licensing bases and does not address HBF — either the fuel itself, or any structures, systems, and components (SSCs) that make up the cask modifications proposed in the amendment request — as the HBF amendment request is still under review and is not currently a part of the ISFSI licensing bases. The NRC staff has completed an acceptance review of the license renewal application and determined there is sufficient information for the staff to begin its detailed technical review given the current licensing bases. However, issuance of the acceptance letter of the renewal application is pending because the staff wanted to discuss with Dominion the pending HBF amendment and its potential impacts on the staff's review of the renewal application, in the interest of the efficiency of the review.

If NRC approves the HBF amendment request, Dominion would need to address the HBF in the license renewal application. Dominion could address the HBF in a number of ways as long as the information adequately addresses the 10 CFR Part 72 renewal regulations. Some options for addressing HBF include: (1) specific aging management programs (AMPs) for the HBF itself and any in-scope SSCs that make up the cask modifications; or (2) a license condition limiting the storage of the HBF cask to less than 20 years, thereby preventing the HBF cask from entering its period of extended operation in which aging effects would need to be addressed. The idea of a license condition was mentioned at a March 21, 2016, public meeting on Dominion's plans for submittal of the license renewal application. The submittal of the HBF information in the middle of the renewal review may complicate or extend the overall renewal review process and schedule depending on how Dominion chooses to address the HBF. For example, the submittal of substantive information on HBF (e.g., specific AMPs) could potentially lead to a second request for additional information (RAI), extend the technical review, or complicate the staff's environmental review.

The options for proceeding are: (1) accept the renewal application for detailed technical review and issue the notice of docketing and opportunity for hearing now; or (2) delay the start of the review of the renewal application and notice of docketing and opportunity for hearing until after the HBF amendment review is completed. Given the current schedule for the HBF amendment review, the delay would be on the order of 3-6 months. Under either option, the staff will make its safety and environmental review findings and licensing decision regarding the renewal of the license. However, the staff is interested in what is the most efficient way to review the license renewal application, recognizing the pending HBF amendment and the potential for the renewal application to be supplemented later with the HBF information.

Before the staff makes its decision on how to proceed, it wishes to consider information from Dominion on the options for reviewing the renewal application, including any schedule or resource constraints, and if the pending HBF amendment is approved, Dominion's current thinking on how it may address HBF in the renewal application.

Dominion noted that it has not made any conclusions on how it will address HBF in the license renewal application if the HBF amendment request is approved. However, after the March 21, 2016, public meeting, it has considered and would like to explore the possibility of proposing a license condition limiting the storage time of the HBF cask.

NRC and Dominion discussed how such a license condition would work. The condition would limit the storage of HBF to a time period less than 20 years, thereby preventing the HBF cask from entering its period of extended operation in which aging issues would need to be addressed. This reflects the expectation for the storage time of this cask at the North Anna

ISFSI, per the planned HDRP. Dominion could provide information related to the unique situation of the HBF cask, as it supports the HDRP, including current information on the HDRP to support a license condition proposal. The NRC staff clarified that if there is already docketed information (e.g., information submitted as part of the HBF amendment request) that Dominion feels supports a license condition proposal, Dominion could reference this information and would not need to submit this information again.

If at any time, the 20-year storage time is expected to be exceeded, Dominion would need to request a license amendment to change the license condition. This amendment would include a scoping evaluation and aging management review, similar to that in the current license renewal application, to determine if any aging management activities are needed for any of the in-scope SSCs related to the HBF cask to manage aging mechanisms and effects in the HBF cask's period of extended operation.

It was discussed whether the time-limited license condition should be set at exactly 20 years of storage, or if a shorter time period should be specified to give the NRC time to review an amendment request if Dominion expected the storage time to be exceeded. The NRC staff was not certain if the timely submittal requirements in 10 CFR 72.42(b) would apply to such an amendment and noted it would need to discuss this with NRC's Office of the General Counsel. The staff also noted that if the HBF amendment is issued, and if Dominion proposed such a license condition in the future, NRC and Dominion could hold further discussions at that time.

Dominion asked whether such a license condition would be addressed in the HBF amendment request or the license renewal application. The NRC staff noted that since the purpose of such a license condition would be to limit the HBF cask storage time to prevent the cask from entering its period of extended operation, it could be proposed by Dominion as part of the license renewal application and was not needed for the license amendment.

Dominion inquired about the staff's planned environmental review for the renewal application as required by the National Environmental Policy Act. The staff noted that it is planning to complete an environmental assessment of the renewal application. The staff clarified that a substantive addition to the application (e.g., submittal of detailed AMPs) in the middle of the review could complicate the environmental review since consultations with Federal, State, or Tribal parties under the Endangered Species Act or National Historic Preservation Act are typically initiated early in the staff's review.

Dominion asked about the path forward if the staff accepts the renewal application now for a detailed technical review. The staff noted that, if it accepts the renewal application now for a detailed technical review, the current schedule is to issue an RAI in the fall 2016 timeframe. Staff expects to be completing its review of the HBF amendment request at that time. If the HBF amendment is issued, the staff would include an RAI on the renewal application requesting Dominion to address the HBF cask, as the HBF cask would then be a part of the licensing bases for the ISFSI.

Dominion noted that it would prefer for NRC to start its review of the renewal application now, given resource and schedule considerations and its current thinking on how it may supplement the renewal application if the HBF amendment is approved.

After Dominion and NRC representatives completed their discussion, the meeting was opened to public comments or questions. Donna Gilmore expressed a concern that the HBF will not be removed from the North Anna ISFSI before 20 years of storage. The NRC staff noted that this

would be the reason for a time-limited license condition. If the storage time will be exceeded, Dominion would be required to request a license amendment to change the license condition and demonstrate that SSCs important to safety will continue to perform their intended functions in the period of extended operation of the HBF cask. The staff noted that a license condition reflects the unique nature of the HBF cask and its expected limited storage time in support of the HDRP. Such an approach may also be more efficient from both an NRC review perspective and a Dominion development perspective.

David Martin commented that the NRC should deny both the HBF amendment request and the license renewal application. Mr. Martin asked where the HBF will be taken after its time in storage at the North Anna ISFSI. The staff noted that DOE has responsibility for the HDRP, and it is not within the NRC's regulatory authority to identify where the HBF will be taken after its storage period at the North Anna ISFSI. The NRC has regulatory responsibility for reviewing the license amendment request from Dominion to store the HBF in a modified cask and ensuring that the HBF will be stored safely during its storage period at the North Anna ISFSI. The NRC is maintaining involvement in (e.g., NRC sent comments on the draft HDRP test plan to DOE) and awareness of the HDRP for the important information it will provide, but the NRC is not directly responsible for the HDRP. The NRC staff noted that it is not aware of a DOE decision on where the HBF will be taken after its time in storage at the North Anna ISFSI. Mr. Martin noted that this should be decided before completing any NRC licensing actions.

The NRC staff thanked Dominion for the information and the public members for their comments, as the information will help NRC to decide whether to start reviewing the renewal application now or to delay the start of the review until after the HBF amendment review is completed. The NRC staff noted that it will issue correspondence to Dominion on its path forward for the review of the license renewal application.

Action Items/Next Steps

NRC staff will make a decision to either accept the North Anna ISFSI renewal application for a detailed technical review and issue the notice of docketing and opportunity for hearing now, or delay the start of the review until after the HBF amendment review is completed. The staff will issue publicly available correspondence to Dominion noting its decision within a couple of weeks.

Docket No. 72-16
CAC No. L25121

Enclosures:

1. Meeting Attendees
2. Agenda

would be the reason for a time-limited license condition. If the storage time will be exceeded, Dominion would be required to request a license amendment to change the license condition and demonstrate that SSCs important to safety will continue to perform their intended functions in the period of extended operation of the HBF cask. The staff noted that a license condition reflects the unique nature of the HBF cask and its expected limited storage time in support of the HDRP. Such an approach may also be more efficient from both an NRC review perspective and a Dominion development perspective.

David Martin commented that the NRC should deny both the HBF amendment request and the license renewal application. Mr. Martin asked where the HBF will be taken after its time in storage at the North Anna ISFSI. The staff noted that DOE has responsibility for the HDRP, and it is not within the NRC's regulatory authority to identify where the HBF will be taken after its storage period at the North Anna ISFSI. The NRC has regulatory responsibility for reviewing the license amendment request from Dominion to store the HBF in a modified cask and ensuring that the HBF will be stored safely during its storage period at the North Anna ISFSI. The NRC is maintaining involvement in (e.g., NRC sent comments on the draft HDRP test plan to DOE) and awareness of the HDRP for the important information it will provide, but the NRC is not directly responsible for the HDRP. The NRC staff noted that it is not aware of a DOE decision on where the HBF will be taken after its time in storage at the North Anna ISFSI. Mr. Martin noted that this should be decided before completing any NRC licensing actions.

The NRC staff thanked Dominion for the information and the public members for their comments, as the information will help NRC to decide whether to start reviewing the renewal application now or to delay the start of the review until after the HBF amendment review is completed. The NRC staff noted that it will issue correspondence to Dominion on its path forward for the review of the license renewal application.

Action Items/Next Steps

NRC staff will make a decision to either accept the North Anna ISFSI renewal application for a detailed technical review and issue the notice of docketing and opportunity for hearing now, or delay the start of the review until after the HBF amendment review is completed. The staff will issue publicly available correspondence to Dominion noting its decision within a couple of weeks.

Docket No. 72-16

CAC No. L25121

Enclosures:

1. Meeting Attendees
2. Agenda

DISTRIBUTION:

NMSS/DSFM R/F	RidsOpaMail Resource	JTrefethen	DDiaz-Toro	LChang
TAhn	DTarantino	JWise	MDavis	WCAllen
MLombard	ACoggins	GEatmon/RII	GCroon/RII	RCarrion/RII
SWalker/RII				

G:\SFST\North Anna\License Renewal\7-14-16 Public Meeting\7-14-16 North Anna meeting summary.docx

ADAMS Accession No.: ML16207A310

OFC	NMSS/DSFM	NMSS/DSFM	NMSS/DSFM	NMSS/DSFM
NAME	KBanovac	WWheatley	JMcKirgan	ACsontos
DATE	7 / 20 / 16	7 / 20 / 16	7 / 21 / 16	7 / 21 / 16

OFFICIAL RECORD COPY

MEETING ATTENDEES

Public Meeting with Dominion to discuss the relationship and timing of the reviews of the amendment request and the renewal application for the North Anna Independent Spent Fuel Storage Installation license (SNM-2507)

July 14, 2016, 3:00 – 4:00 p.m.

Kristina Banovac	NRC/NMSS/DSFM
W. Christopher Allen	NRC/NMSS/DSFM
Aladar Csontos	NRC/NMSS/DSFM
John McKirgan	NRC/NMSS/DSFM
Anthony Hsia	NRC/NMSS/DSFM
Tae Ahn	NRC/NMSS/DSFM
Marlone Davis	NRC/NMSS/DSFM
John Wise	NRC/NMSS/DSFM
Mark Lombard	NRC/NMSS/DSFM
Jean Trefethen	NRC/NMSS/FCSE
Robert Carrion	NRC/Region II
Thomas Szymanski	Dominion
David Sommers	Dominion
Craig Sly	Dominion
Tom Brookmire	Dominion
Richard Ridder	Dominion
Brian Vitiello	Dominion
Paul Aitken	Dominion
Tony Banks	Dominion
Jim Williams	Dominion
David Martin	Public
Donna Gilmore	Public
Carlyn Greene	UxC

MEETING AGENDA

Meeting with Dominion

July 14, 2016

3:00 – 4:00 p.m. (Eastern Daylight Time)

Teleconference: 888-453-8562 Passcode: 50864

Purpose: To discuss the relationship and timing of the reviews of the amendment request and the renewal application for the North Anna Independent Spent Fuel Storage Installation license (SNM-2507).

Agenda:

- Welcome, introductions, and meeting objectives
- NRC and Dominion discussion
- Public questions or comments
- Wrap-up and closing remarks
- Meeting adjourned