Global Nuclear Fuel
A Joint Venture of GE, Toshiba, & Hitachi

Scott P. Murray
Manager, Facility Licensing

3901 Castle Hayne Road
P.O. Box 780
Wilmington, NC 28402
USA

T 910-819-5950
Scott.murray@ge.com

SPM-16-030

August 19, 2016

7/6/2016
81FR43959
(8)

U.S. Nuclear Regulatory Commission
Office of Administration
Washington, DC 20555-0001

ATTN: Ms. Cindy Bladey

Subject: GNF-A Comments on Consideration of Rulemaking to Address Prompt Remediation of Residual Radioactivity During Operations, Docket ID NRC-2011-0162;

References: 1) FR 43959, Vol 81, 7/6/16
2) RIN 3150-AJ17
3) SNM-1097, Docket 70-1113

Dear Ms. Bladey:

Global Nuclear Fuel-Americas (GNF-A) appreciates the opportunity to comment on NRC staff's consideration of a potential rulemaking to address prompt remediation of residual radioactivity during operations. NRC has requested additional input from various stakeholders on the need for this potential rulemaking published in the Federal Register on July 6, 2016 (Reference 1).

As a Category III fuel fabrication facility, we are concerned that several of the proposed additional requirements have significant regulatory and policy implications and may have a significant impact on GNF-A safety and compliance programs without a clear regulatory need, articulated benefit or safety concern. Based on many years of operational experience and implementation of the final Decommissioning Planning Rule that became effective in December 2012, we believe there is no demonstrated need to justify this rulemaking. Since 2012, we are not aware of any additional NRC programmatic information or data to identify a regulatory need or safety benefit of this additional rulemaking and, given its absence, we believe that development of a proposed rule is unnecessary and wholly inappropriate.

More importantly, GNF-A remains firmly committed to plan, fund and conduct safe and efficient facility operations which include minimizing, detecting and monitoring contamination during operations, reducing exposures and minimizing generation of radioactive waste. We firmly believe that current NRC regulations contain appropriate and adequate requirements to control residual radioactivity.

Existing regulations require licensees to, among other things, minimize doses and releases of radioactive material to as low as reasonably achievable (20.1101(b), comply with regulatory dose limits for individual members of the public and environmental radiation standards (20.1301), control

licensed material to minimize the introduction of residual radioactivity into the site including the subsurface (20.1406(c)), perform site surveys and monitoring activities to evaluate potential radiological hazards of residual activity including the subsurface (20.1501(a)), keep records important to decommissioning including areas that might have become contaminated during facility operations, (70.25(g)(1) and (3)), and promptly report unplanned contamination events that restrict access to an area for more than 24 hours by imposing additional radiological controls (70.50(b)(1)). Our facility design, plant operations and NRC's inspection programs help ensure these regulatory requirements are continually met, even in abnormal situations.

In fact, the proposed rulemaking could have adverse unintended consequences on the operational safety of a facility by imposing expectations that a licensee take action to reduce or remediate concentrations of licensed material in the subsurface of a facility which is an area not typically assessable to the public and therefore, does not present an immediate exposure pathway. As opposed to an informed decision about whether, when and how to remediate detected subsurface contamination, excavating or digging around safety related or important to safety components during operations could result in increased risk to both workers and public by disrupting operationally essential equipment or potentially exacerbate the migration of contaminates already in the environment

As a result, NRC should discontinue the expenditure of staff and industry resources to develop the rule being considered for prompt remediation during operations in view of the current regulatory framework and in the absence of any information or data to suggest that a safety issue exists.

Please contact me on (910) 819-5950 if you have any questions or would like to discuss this important topic further.

Sincerely,

Scott P. Murray

Scott P. Murray, Manager
Facility Licensing

Commitments: None

Cc: T.D. Naquin, NRC NMSS, Washington, DC
T. Vukovinsky, NRC RII, Atlanta, GA