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DOCKET NOS. 50-237 ✓
50-249
50-254
50-265

DEC 11 1978

Commonwealth Edison Company
ATTN: Mr. Cordell Reed
Assistant Vice President
P.O. Box 767
Chicago, Illinois 60690

Gentlemen:

Your letter dated August 7, 1978, provided reasons for your position that the applications dated April 13 and May 11, 1978, for license amendments for proposed modifications of the Zion 1 and 2, and Dresden 2 and 3 fuel pools are properly classified as Classes III and I rather than Classes IV and I. We have reconsidered your applications and the matters discussed in your August 7 letter. Although the NRC staff did conclude in NUREG-0404 that, in general, the storage of spent fuel in water pools is a well established technology and that modifications are technically and economically feasible, the NRC review staff must still review each individual application on a case-by-case basis. It is our understanding, that review of the Zion and Dresden spent fuel pool requests will require extensive environmental impact appraisals and health and safety issues such as occupational exposure considerations during removal of the old racks and installation of the new racks, and during the storage period since the closer spacing of fuel assemblies causes the potential consequences of accidents to be greater in terms of exposures to personnel. The reviews will also involve other safety issues in that, as a minimum, the NRR staff will have to evaluate the following:

- (a) criticality safety - the closer center-to-center spacing of the fuel assemblies will result in a higher k effective and therefore a smaller margin to criticality;
- (b) heat removal capacity,
- (c) structural integrity, and
- (d) corrosion resistance factors.

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Although this Branch included only the significant hazards consideration as the previous qualifier for the Class IV fees, we perhaps erred to some extent in that we were concurrently advised by the review staff that more than one safety and environmental issues were involved. Thus, the applications qualify for Class IV fees even if significant hazards consideration was not the major issue.

Based on the foregoing, it is our determination that Classes IV and I are fair and justified under 10 CFR 170. Thus, the additional charge of \$8,300 for each of the two applications should be paid within fifteen (15) days after your receipt of this letter so that processing of your applications will not be interrupted.

We appreciate your comments and concern as to the need for expanding the definitions of certain terms used for fee purposes and the need to revise other areas of 10 CFR Part 170 to provide for better guidance. This matter will be carefully considered in the future reassessment of 10 CFR Part 170.

Please feel free to call us on 301/492-7225 at any time that you feel that we can be of assistance to you.

Sincerely,

Original Signed by

Wm. O. Miller

William O. Miller, Chief
License Fee Management Branch
Office of Administration

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LPDR

Reg. Docket File 50-237/249/254/265

LFMB Reactor File (4)

LFMB R/F (2)

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Gary Zech, ORB-1

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P. O'Conner, ORB-2

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R. Bevan, ORB-3

S. Sheppard, ORB-3

R. Diggs, LFMB

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

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Gentlemen:

*Issued
Health and
Safety
12/4*

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- health and safety
issues*