

January 31, 2018

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

FROM: L. Raynard Wharton, Senior Project Manager /**RA L. Hamdan Acting for/**  
Inspections and Operations Branch  
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SUBJECT: SUMMARY OF DECEMBER 18, 2017, MEETING WITH NUCLEAR  
ENERGY INSTITUTE TO DISCUSS NUCLEAR ENERGY INSTITUTE'S  
U.S. NUCLEAR REGULATORY COMMISSION COMMENTS ON  
NEI 12-04, "GUIDELINES FOR TITLE 10 OF THE *CODE OF THE  
FEDERAL REGULATIONS* 72.48 IMPLEMENTATION," REVISION 1,  
DRAFT A

The U.S. Nuclear Regulatory Commission (NRC), Office of Nuclear Material Safety and Safeguards, Division of Spent Fuel Management (DSFM) staff held a Category 2 meeting with the Nuclear Energy Institute (NEI) and industry on December 18, 2017, at NRC's Two White Flint Building in Rockville, Maryland. The purpose of the meeting was to discuss NRC's comments on NEI 12-04, 'Guidelines for 10 CFR 72.48 Implementation,' Revision 1, Draft A.

In the public meeting conducted on July 11, 2017 (Agencywide Document Access and Management System (ADAMS) Accession No. ML17226A010), the NRC and NEI agreed to a meeting after the NRC provided comments on the revised draft guidance document. NEI submitted the revised document to the NRC for staff review on September 5, 2017 (ADAMS Accession No. ML17249A095). The revised NEI draft document addressed most of Title 10 of the *Code of Federal Regulations* 72.48 issues discussed in the previous public meetings with the NRC. The NRC responded to NEI's submittal in a letter dated November 30, 2017 (ADAMS Accession No. ML17335A027). In the response, NRC had several comments that would require additional NEI clarification.

NEI provided a list of comments they wished to discuss in the public meeting. NEI grouped the list of comments into different bins related to the topics of discussion. The topics of discussion included but not limited to the following: uncertainties; type of analysis; definition of method of evaluation; safety analysis report; and content in the safety evaluation report. NEI submitted the comment list by e-mail to the NRC on December 15, 2017 (ADAMS Accession No. ML18025B603).

The meeting was attended by the DSFM management and staff, NEI and its contractor, and industry participants. There were also several industry members and members of the public

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participating by telephone. The list of attendees and participants are included as Enclosure 1. The discussion followed the agenda proposed in the meeting notice, which is provided in Enclosure 2.

DSFM management began the meeting by stating that this would be a working session between NRC and NEI. NEI stated that there were no substantive disagreements and that the discussion would be primarily clarifications. The staff went on to explain the NRC process for endorsing a guidance document; including staff review of the revised document, developing the draft regulatory guide for public comment, developing the regulatory analysis, developing the technical basis, and coordinating workshops and training.

NEI began the discussion with the NRC on uncertainty related comments. The discussion continued through the list of remaining bins on the other comments. There were also additional comments that were not binned. The meeting was very beneficial to both the NRC and NEI. However, NEI discussed six comments that required further NRC clarification. NEI proposed to revise the guidance document, NEI 12-04, by February 1, 2018. There were no regulatory decisions made at the meeting. Additionally, the NRC gave the public an opportunity to ask questions or provide comments.

If you have any questions or comments, please contact L. Raynard Wharton at (301) 415-7497 or [raynard.wharton@nrc.gov](mailto:raynard.wharton@nrc.gov).

Enclosures:

1. Meeting Participants
2. Agenda

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