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# PUBLIC SUBMISSION

**Docket:** NRC-2017-0236  
Preparing to License Accident Tolerant Fuel

**Comment On:** NRC-2017-0236-0001  
Preparing to License Accident Tolerant Fuel

**Document:** NRC-2017-0236-DRAFT-0006  
Comment on FR Doc # N/A

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**Add= Andrew Proffitt (5AP5)**

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## Submitter Information

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82 FR 60633  
(6) 12/21/2018

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## General Comment

1. Draft Project Plan Page 1 - "For these ATF designs, the time frames for initial irradiation of lead test assembly (LTA) programs and topical report (TR)/license amendment request (LAR) review were used as a basis for the timelines discussed in this plan." This statement clearly infers use of the topical report and amendment process. This is not consistent with other public statements and documents prepared by NRC staff and that state that exemptions and amendments are not required for LTAs. What is the basis for statements that exemptions and amendments would not be required for LTAs?
2. Draft Project Plan Page 1 - "The project plan does not cover existing licensing activities, as they follow existing processes for which schedules and regulatory approaches are well-established." This statement establishes that existing licensing and regulatory processes are well established. However, contrary to the "well established process," NRC staff in other public statements and documents prepared by NRC staff asserts that exemptions and amendments would not be needed for LTAs. This change from the "well established process" eliminates the public's opportunity to request a hearing on an amendment request and to request adjudicatory intervention on an exemption on an activity that has irreversible consequences (i.e., irradiation of an LTA).
3. Draft Project Plan Page 5 - The activity section of Table 2 should also include a discussion and assessment of the licensing/regulatory framework for use of LTAs. It is referred to in ML17325B773 which is referenced in the table. Any proposed changes to the "well established process" should be discussed and assessed in detail.
4. Draft Project Plan Page 10 - "Estimated lead times to develop the codes to be able to analyze all currently proposed fuel/cladding types range from three to six years. The lead time includes all code development

activities, and considers the time required to generate new data and new models for code development and integral assessment. The lead times vary by discipline and vary for evolutionary and revolutionary ATF designs. Generally, longer lead times are estimated for revolutionary designs with the expectation that new phenomenological models will need to be developed and validated. The lead times are not independent between various ATF designs because it is anticipated that code architecture updates made for the first design can be leveraged for other ATF designs." The existing regulatory requirements in plant's technical specifications and core reload approved topical reports stipulate that fuel, including LTAs, be analyzed with NRC approved codes and methods prior to irradiation. It is not clearly stated that NRC approved codes and methods must be used and that these approvals need to be in place prior to the irradiation of LTAs. This comment directly effects the content of Tables 6 through 9.

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## Attachments

LTA project plan comments

1. Draft Project Plan Page 1 - "For these ATF designs, the time frames for initial irradiation of lead test assembly (LTA) programs and topical report (TR)/license amendment request (LAR) review were used as a basis for the timelines discussed in this plan." This statement clearly infers use of the topical report and amendment process. This is not consistent with other public statements and documents prepared by NRC staff and that state that exemptions and amendments are not required for LTAs. What is the basis for statements that exemptions and amendments would not be required for LTAs?
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