Public Meeting Regarding Public Comments Received on Draft NUREG-2215

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Ground Rules

- Category 3 Public Meeting Information
- Discussion needs to be pertinent to a specific comment
- Discussion on comments will need to be time limited

Background

- DSFM recognized the need to update both the Storage and Transportation SRPs
- Storage SRP issued in 2000
- 10 CFR Part 72 has been revised
- 21 ISGs were issued to assist in implementing changes from this revision and emergent issues

Expectations

- Maintain the safe and secure use of radioactive materials
- Increase efficiency when performing reviews
- Minimize/eliminate the use of ISGs
- Make future revisions easier
- One-stop for all SRP information

Approach

- Formed an internal NRC team representing all technical disciplines, with a similar team of counterparts formed by the contractor
- Team members interacted with their counterparts directly to ensure questions were addressed and provide any additional technical information
- Started with the draft update to NUREG-1567
- Merged the information found in NUREG-1536
- Incorporated ISGs and other technical documents into the consolidated update (NUREG-2215)

Public Comments

- This public meeting will focus on comments received that are directly relevant to NUREG-2215
- 133 individual public comments were received within the 45-day comment period
- An additional 20 comments arrived after the 45-day comment period

Comment 1

- Section 3.5.2, Design Basis for Structures, Systems, and Components Important to Safety, includes the requirement, "Verify that the Safety Analysis Report (SAR) defines criteria for procedures for handling, repackaging, and shipping out-of-specification wastes."

  Many permanently shutdown reactor sites and new facilities contemplating receipt of existing SNF canisters either no longer have the capability or do not plan to have pools for reopening Dual-Purpose Canisters (DPCs) in the event of some beyond accident basis event. The impact of this requirement on such facilities is unclear.

Proposed Response 1

- Propose adding, “(if needed)” after repackaging. The SRP is not intended to be requirements, only guidance.

Comment 2

- Chapter 3 includes several requirements (e.g., 3.5.2.2, Reactor-Related Greater-than-Class-C (GTCC) Waste) for verification actions or activities associated with loading.

  It is unclear how these requirements will be met for ISFSIs or MRSs that do not plan to conduct loading operations but rather expect to receive already canistered SNF or GTCC waste. As written, all informational needs are focused on loading operations.

Proposed Response 2

- A licensee needs to verify that the materials to be stored at their facility meet the specifications for contents given in the license, including the technical specifications. For a facility, such as an consolidated interim storage facility or other away-from-reactor facility, which would be licensed receive and store materials from other facilities, the licensee would need to perform appropriate verifications at the time of package receipt to ensure the received materials meet the license requirements for storage at that facility. An applicant for a license for such a facility should describe the means by which this verification will be done and justify that they are sufficient to ensure that received materials meet the license requirements for storage at the facility. Recommend adding a discussion to the SRP in a single, general location.

Comment 3

- SRP guidance and expectations for when a pool is required are not clear. The Introduction, Paragraph 2 indicates that this SRP "does not apply to Wet Storage ISFSIs or MRSs (e.g., GE Morris), but does have information related to pools for repackaging at a Dry Storage Facility (DSF). Refer to NUREG-1567, 'Standard Review Plan for Spent Fuel Dry Storage Facilities,' for information regarding the review of wet pools (such as for spent fuel repackaging, loading, unloading)" (Pg xxxiii, lines 13-16). As repackaging is used in both examples, it is unclear which SRP should be used for an ISFSI or MRS that will include repackaging operations.

  Recommend that the guidance be clarified to state that no new requirement is created for a DSF to have the capability to open a DPC to repackage fuel or for any other reason. The creation of such a requirement would be contrary to operations at several shutdown plant ISFSIs. In addition, such a requirement would be contrary for any future consolidated storage facilities that plan to receive canisters that are loaded with spent fuel and sealed at the originating site, and are placed back into storage without further handling of bare fuel assemblies (i.e., "start clean/stay clean").

Proposed Response 3

- Propose rewording the introduction paragraph to indicate that if there is a pool, then look at NUREG-1567 for pool portions only, otherwise, do not need to consider as part of NUREG-2215. We do not require a pool at a facility. Reworded as: This SRP does not apply to wet storage ISFSIs or MRSs (e.g., GE Morris). If a facility does have a pool, the reviewer should refer to NUREG-1567, "Standard Review Plan for Spent Fuel Dry Storage Facilities," for information regarding the review of wet pools (such as for spent fuel repackaging, loading, un loading). Otherwise, NUREG-2215 does not apply to pools, nor is a pool required.

Comment 4

- Radiation protection. In multiple locations throughout the document, compliance with 10 CFR Part 20 is discussed.

  The regulations at 10 CFR Part 20 apply to nearly all NRC-licensed facilities and apply a monitoring-based rule. Please clarify how Part 20 is used in licensing the DSF design, viz., operating the facility. It is our understanding that Part 20 is not intended to be a basis for review of an application beyond a general sense of reasonable assurance that, when in operation, there is high confidence the DSF will meet Part 20 regulations.

Proposed Response 4

- NUREG-2215 lays out expectations for the information and evaluations to be provided with respect to 10 CFR Part 20 requirements. The applicant's SAR should provide the information and evaluations needed to demonstrate that the facility design and operations appropriately address the requirements in 10 CFR Part 20. This information will also include dose assessments. These assessments are used to demonstrate that appropriate limits and ALARA have been adequately factored into the facility design and are/will be adequately incorporated into the facility operations. Such a demonstration necessarily involves consideration of the dose assessment results versus the limits in 10 CFR Part 20, with appropriate recognition of the radiation protection/health physics program, as described in the SAR, that will be used to monitor and ensure actual operations will meet those limits. These estimates should show facility operations will meet public offsite dose limits. For onsite individuals, the applicant should provide and evaluate personnel dose estimates for the different types of facility operations. These dose estimates should be fairly low versus the limits. For those that are not, the staff would expect the applicant to provide further supporting information for how doses will be kept low to ensure limits are met. High estimates may be an indication that radiation protection or ALARA have not been adequately considered in the facility design or operations. The staff would identify and pursue these concerns as part of the licensing review to ensure the needed level of confidence that the facility does or will meet the requirements in 10 CFR Part 20. These expectations are in line with what has been done for previously approved Part 72 specific licenses and are consistent with guidance used in the review of radiation protection for reactor licensing actions (see Chapter 11 of NUREG-0800).

Comment 5

- Linkage of "retrievability" with the need for a pool. Appendix 4B, Pool and Pool Confinement Facilities, provides the following opening statement: "The pool and pool confinement facilities provide a capability that may be essential to the conduct of ISFSI and MRS loading for storage and unloading functions and that may be needed for retrievability" (Pg. 4B-1, lines 2-5). This statement suggests the NRC is linking the requirement for retrievability with the need for a pool. This is not consistent with the NRC's latest position on retrievability espoused in ISG-2, Revision 2, where presenting a DPC for transportation also meet the requirement for fuel retrievability. The licensee's desire for a pool may be unrelated to retrievability, which can be accomplished without the need for assembly handling.

  Please clarify the guidance to better align with ISG-2, Revision 2 by stating that the ability to re-package individual fuel assemblies is not required to meet the Part 72 retrievability requirement.

Proposed Response 5

- NUREG-2215 is not intended to imply that a pool is required, only guidance if an applicant were to have one. Possibly reword Paragraph 2 to make this clear. The staff notes that the use of a spent fuel pool is just one approach a licensee may take to address a canister breach.
- Some additional options may include:
  - conducting in-situ canister repairs
  - creating a secondary confinement boundary, or nesting the breached canister within a new, larger confinement vessel, or
  - replacing the breached canister with a new canister, but engineering a shielded confinement structure to safely repackage the fuel rather than using a pool.

Comment 6

- Not-Important-to-Safety (NITS) Structures, Systems, and Components (SSCs). The guidance in Section 3.4.4 appears to broadly direct applicants to provide design criteria and bases for NITS SSCs.

  Without a limiting principle, such as NITS items that must be described to adequately understand facility design and important-to-safety (ITS) operations, applicants will be including everything (e.g., administrative offices, maintenance shops, restrooms, visitor's center) in the SAR.

Proposed Response 6

- The facility description in an application for a facility specific-license should be adequate to enable determination of compliance with the requirements in 10 CFR Part 72. That description would include both SSCs ITS and SSCs NITS. For SSCs NITS, the level of detail is dependent upon what is needed to demonstrate compliance with those requirements, which are referenced in Section 3.4.4 of the draft SRP. Section 4.3.2 of the draft SRP provides examples of some of those SSCs which may be NITS but are within the scope of NRC review for a facility. In addition, a facility definition and description is needed that is sufficient to enable evaluations for meeting requirements in 10 CFR Part 20, which 10 CFR 72.24(e) and Chapter 10A of the draft SRP address. Thus, the types of SSCs and the level of detail for them should be sufficient to demonstrate facility design and operations will comply with these requirements and to address the evaluations identified in that guidance. The NRC has already approved specific licenses for some facilities that are not co-located with other (Part 50/Part 52-licensed) facilities. A review of the information described in the FSARs for those facilities would provide a useful starting point to understand the facility SSCs NITS, and the level of detail regarding them, that would be expected in a facility license application

Comment 7

- Safety Classification of SSCs in Section 3.5.1 that includes "typical" ITS SSCs. This list is very general and could cause confusion.

  Recommend that a preferable approach would be to replace the phrase "typical ITS SSCs" with a reference to the definition of ITS in the glossary and NUREG/CR-6407, which is the guidance for classifying SSCs according to importance to safety. As an example, "gas treatment and ventilation systems" (Pg 3-14, line 27) even if servicing contaminated areas are usually NITS. The only way they would be ITS is if they were credited as part of confinement system, which is not the case for cask-based dry storage.

Proposed Response 7

- Propose removing the gas treatment and vent systems references to make this clear. There may be other non-cask-based systems. NUREG/CR-6407 only deals with SSCs for casks, not facilities. Suggest adding detail to section 3.5.1 that this is not an exhaustive list and remove gas treatment and vent systems from the list.

Comment 8

Draft NUREG 2215 would undermine NRC's ongoing improvements on the graded approach to dry storage licensing, 10 CFR 72.48 change process guidance, and dry storage license and CoC renewal. NRC and industry are working on a Regulatory Issue Resolution Protocol, RIRP-I-16-01, to reassess and redefine the appropriate content of the ISFSI license/DSS CoC conditions and any associated appendices (e.g., technical specifications). The draft NUREG does not appear to have acknowledged or accounted for this ongoing initiative. Several sections of the draft NUREG mention the technical specifications that accompany a license or CoC; RIRP-I-16-01 is introducing a new appendix (Inspections, Tests, and Evaluations) to the CoC, equal to the TS in the set of licensing basis documents. This new appendix may need to be mentioned in several areas of the draft NUREG as a result of the RIRP-I-16-01 initiative. Nearly every chapter mentions verifying that the technical specifications include adequate restrictions of one form or another. Those particular restrictions may or may not be determined to be appropriate for inclusion in TS as a result of the RIRP-I-16-01 results. While some of the format, content, and selection criteria of RIRP-I-16-01 are very similar to the parallel sections of draft NUREG Chapter 17, they are not identical and therefore they should be carefully considered, in order for the final NUREG to be consistent with RIRP-I-16-01 results.

The Chapter 17 outline of TS subjects is not consistent with the RIRP-I-16-01 suggested outline. For example, the Design Features in the RIRP-I-16-01 scheme have been moved to the license/CoC conditions. In the case of CoC applications, draft NUREG Chapter 17 (Table 17-1b) cites all parts of 10 CFR 72.236 for consideration as TS whereas RIRP-I-16-01 and the regulations only consider 10 CFR 72.236(a) as minimal requirements for TS. 10 CFR 72.236(a) is augmented by the RIRP-I-16-01 format, content, and selection criteria to more clearly define CoC/TS content.

The format and content of both ISFSI licenses and DSS design CoCs should be governed by a separate guidance document (e.g., a revision to NUREG-1745 or NRC-endorsed industry-authored guidance as planned in RIRP I-16-01), which NUREG-2215 would reference. Chapter 17 should be used strictly for the technical specification bases. This approach works well with proposed technical specification bases being subject to 10 CFR 72.48 change control as part of the ISFSI or DSS FSAR. It would also allow the RIRP I-16-01 effort to be completed without requiring an almost immediate revision to NUREG-2215.

Similarly, NRC should, in NUREG-2215, adopt review process improvements from two industry guidance documents that staff is currently reviewing and one other draft NUREG on which NRC is concurrently also receiving comments. These are as follows:

NEI 12-04, "Guidance for 10 CFR 72.48 Implementation"
NEI 14-03, "Format, Content, and Implementation Guidance for Dry Cask Storage Operations-Based Aging Management"
Draft NUREG-2214, "Managing Aging Processes for Storage" (MAPS)

Proposed Response 8

- Staff agrees with the comment that the level of detail on the technical specifications in the draft NUREG present conflicting information with other portions of the document. The NRC staff plans to remove much of this level of detail from the draft SRP in Chapter 17. This level of detail is more appropriate for inclusion in other documents, such as NUREG-1745, "Standard Content and Format for Technical Specifications" where content and format guidance for technical specifications is provided. NUREG-1745 provides the guidance for the content of the Safety Analysis Reports submitted to support applications and amendments. A revised Chapter 17 in the draft NUREG-2215 will address the overall expectations for developing technical specifications, and not the specific details to include in technical specifications. Although complimentary, the current approach and schedule for NUREG-2215 and Regulatory Issue Resolution Protocol (RIRP)-I-16-01 are separate initiatives. The work on NUREG-2215 is a consolidation of existing guidance documents to provide consistent language and clarity. The effort on NUREG-2215 was not intended to incorporate new guidance at this time. The efforts with the graded approach in RIRP-I-16-01 are ongoing and are anticipated to be completed in the near future. The insights gained from the RIRP effort will be included in a future update of NUREG-2215. At this time, staff suggests that any lessons learned from the RIRP will be included in separate documents, such as NRC endorsed Nuclear Energy Institute (NEI) guidance, in parallel with updates to NUREG-2215.

Comment 9

NEI 12-04, "Guidance for 10 CFR 72.48 Implementation": This industry proposed guidance is nearing the end of the NRC review process that is expected to culminate in NRC endorsement. NEI 12-04 refers to the ISFSI or DSS FSAR as the foundational document upon which 10 CFR 72.48 reviews are performed. The NRC license or CoC application review process performed pursuant to NUREG-2215 will determine the type, and level of detail of information in the FSAR. Consequently, NUREG-2215 should provide clear and consistent expectations for FSAR content, particularly in the area of Method of Evaluation (MOE). Furthermore, to the extent NEI 12-04 directs the user to refer to the applicable NRC staff Safety Evaluation Reports (SERs) for additional background information to develop the 10 CFR 72.48 review, NUREG-2215 should provide appropriate guidance pertaining to future 10 CFR 72.48 reviews to staff reviewers who develop the SERs. Both of these connections to the 10 CFR 72.48 process implemented by licensees and CoC holders will benefit from in-depth industry interaction with the NRC on the development of NUREG-2215.

NEI 14-03, "Format, Content, and Implementation Guidance for Dry Cask Storage Operations-Based Aging Management": NRC and industry have reached alignment on a risk-appropriate approach to ISFSI license and DSS CoC renewal. This approach has already been applied to renew two site-specific dry storage licenses (Calvert Cliffs and Prairie Island) and two Certificates of Compliance (Standardized NUHOMS/1004 and VSC-24/1007) covering dry storage at 22 sites. This approach is outlined in industry guidance (NEI 14-03) for which endorsement is currently pending at NRC. NUREG-2215 should be thoroughly reviewed to assure it reflects a consistent view of the risk profile of dry cask storage.

Draft NUREG-2214, "Managing Aging Processes for Storage" (MAPS): In this document, NRC is proposing to provide guidance for aging management programs associated with dry storage license renewal. This is a companion document to NEI 14-03. NRC is currently seeking comment on NUREG-2214 and industry is concurrently submitting comments that will assure consistency between NEI 14-03 and NUREG-2214. Therefore, the thorough review requested above should also consider the resolution of these comments.

Proposed Response 9

- Staff does not agree that guidance on the 10 CFR 72.48 change process should be included in NUREG-2215. Like the RIRP discussion above, the 10 CFR 72.48 change process guidance (NEI 12-04, “Guidance for 10 CFR 72.48 Implementation”), and the dry storage renewal process guidance (NEI 14-03, “Format, Content and Implementation Guidance for Dry Cask Storage Operations-Based Aging Management) are also separate, ongoing initiatives and are not appropriate for inclusion in NUREG-2215 at this time. This would be new information in the SRP, contrary to only consolidating existing guidance. The NRC staff will continue to work to finalize these items in a timely manner, and will include these topics to updates of NUREG-2215.

Comment 10

- **The manner in which the ISGs and two existing NUREGs are being combined is not sufficiently explained, introduces errors, expands the scope of the guidance, and does not consider the prior review history of each ISG.** NRC does not adequately address the fact that it is creating a brand new guidance document by attempting to merge two independent standard review plans, which were published a decade apart together with numerous ISGs that were also published over a wide time span. These separate materials do not appear to fit together easily. For example: **[ISG-2, ISG-3, ISG--11, Various ISGs.]**

Proposed Response 10

- NUREG-2215 is intended to give a state of present practice in reviewing storage applications. As part of this effort the NRC staff has included experience in performing reviews. NUREG-2215 was published for public comment to allow the public to indicate any specific items that were of concern, including the ISGs that were incorporated into the NUREG for completeness.

- Staff is aware that some ISGs were not issued for public comment, however, the ISGs are current staff guidance for performing reviews. NUREG-2215 was developed to incorporate these ISGs, with no intention of introducing new guidance. Staff agrees that the manner in which the existing guidance was combined has not resulted in the desired clarity. The NRC staff will conduct a focused review of how the ISGs were incorporated into each of the technical chapters of NUREG-2215 to ensure that no new staff regulatory positions were introduced, and that any potential conflicting information from the prior existing guidance documents is clarified. Of particular note, the discussion on post-accident recovery and retrievability will be clarified. We will present the outcome of this effort during an upcoming public meeting, and the briefing to the Advisory Committee on Reactor Safeguards (ACRS).

Comment 11

- ISG-2: In attempting to incorporate ISG-2, the current draft of NUREG-2215 inappropriately changes the meaning of that ISG. The language of NUREG-2215 can be read to imply that the licensee or CoC holder must use one or a combination of the three listed methods for retrievability. ISG-2, however, made clear that these are merely three "acceptable" means, so that licensees and CoC holders are welcome to propose and justify other means. NUREG-2215 should be clarified to maintain ISG-2's intended meaning.

Proposed Response 11

- The draft NUREG-2215 uses text that is identical to the "Technical Review Guidance" section of ISG-2. However, the staff recognizes that the "Recommendation" section of ISG-2 uses the term "acceptable means." NUREG-2215 will be revised to match the "Recommendation" usage.

Comment 12

- ISG-3: In attempting to incorporate ISG-3 on post-accident recovery, the current draft language of NUREG-2215 implies that a licensee must maintain retrievability equipment, rather than preserving the language and intent of ISG-3 which recommended only that the design include post-accident recovery features.

Proposed Response 12

- Draft NUREG-2215 indicates that the SAR does not need to describe specific retrieval facilities, equipment, and procedures for post-accident conditions because of the wide variety of possible post-accident conditions that may occur. As noted above, the discussion on post-accident recovery and retrievability will be clarified in NUREG-2215.

Comment 13

- ISG-11: This guide also was not incorporated correctly. NUREG-2215 contains incorrect fuel cladding temperature limits. It also does not include all of the acceptable combinations described in the ISG. For example, NUREG-2215 states that the low-burnup fuel cladding temperature limit is 570°C during normal conditions. The actual limit for normal conditions is 400°C. Furthermore, ISG-11 says for both “off-normal” and “accident” conditions the fuel cladding temperature limit is 570°C; while NUREG-2215 states that the higher limit only applies to accident conditions.

Proposed Response 13

- The staff agrees with this comment.
- NUREG-2215 will be revised to be consistent with ISG-11.

Comment 14

- Various ISGs: Although recent ISGs have been issued for public comment, not all ISGs have had an equivalent level of review or opportunity for stakeholder input. Therefore, the issues addressed by these ISGs should be reviewed for technical merit and to assure that they do not have the effect of imposing new requirements without an appropriate back-fit analysis. For example, industry's comments on draft ISG-22, "Potential Rod Splitting due to Exposure to an Oxidizing Atmosphere during Short-Term Cask Loading Operations in LWR or Other Uranium Oxide Based Fuel" suggested that the ISG created new requirements and was implemented without sufficient risk consideration, formal backfit analysis or broad-based NRC management and ACRS consideration. In industry's view, those concerns were not adequately addressed in NRC's response to our comments. We believe this issue should have been considered in the NRC generic safety issue program described in NRC Management Directive 6.4, "Generic Issues Program" to determine if a sufficient enhancement to public health and safety justified the cost of implementation of the actions described in ISG-22. NUREG-2215 appears to exacerbate this problem, which is also reflected below in our fundamental concern #4.

Proposed Response 14

- The draft NUREG-2215 reflects current staff guidance in NUREG-1536, Revision 1, which incorporated ISG-22 and was available for public comment. The current revision to the SRP was not intended to revise existing staff positions.

Comment 15

- These examples do not reflect the full scope of concern that might become evident upon a more detailed review. In reality, this NUREG needs to be treated more like a brand new document instead of a simple consolidation, and NRC should be careful to assure that the new document is clear and consistent with the intent of project AIM 2020.

Proposed Response 15

- The work on NUREG-2215 is a consolidation of existing guidance documents to provide consistent language and clarity. The effort on NUREG-2215 was not intended to incorporate new guidance at this time. The 45-day review period is consistent with the required comment timing and is consistent with the intent of project AIM 2020.

Comment 16

- **The finalization of NUREG-2215 in its current form could trigger an unnecessary and costly rewrite of Emergency Plans at several sites.** Emergency Planning sections (12.4.7 & 12.5.7) are based upon 10 CFR 72.32. The most recent ISFSI-only Emergency Plans are based upon 10 CFR 50.47/Appendix E. The two regulations are similar but are not exactly identical. NUREG-2215 should address both sets of regulations so that current and future ISFSI-only sites are not arbitrarily required to completely rewrite their Emergency Plans to conform to a different format, which would introduce inefficiencies to the utilities and the NRC and provide no additional safety benefit.

Proposed Response 16

- The emergency plan information was reviewed by staff of the Office of Nuclear Security and Incident Response (NSIR) and changes will be made to the SRP to bring emergency planning in line with the state of current practice. If the applicant was in accordance with regulations previously, then they should still be in compliance.

Comment 17

- **Draft NUREG-2215 advances new and inconsistent regulatory positions on fuel characterization prior to storage which would effectively impose new requirements on industry without any analysis of the safety benefits and costs.** Throughout Materials Evaluation Section 8, there is language which seems to imply a variety of expectations concerning what the reviewer should be looking for in terms of fuel classification and selection. This is particularly apparent in Section 8B, which is confusing and appears to call into question currently accepted practices for fuel testing.

Proposed Response 17

- The fuel characterization recommendations are consistent with the recent release of Information Notice 2018-01, "Noble Fission Gas Releases During Spent Fuel Cask Loading Operations." The current practice by NRC staff was incorporated into this Information Notice and simply repeated in the SRP in order to ensure consistency with established practice.

Comment 18

HELMS Petition (*paraphrased*)

"The Standard Review Plan for Spent Fuel Dry Storage Systems comment period closes on January 2, 2018 [Please see the footnote]. Since NUREG-2215 is modeled largely as a result of the thinking behind Part 72, it suffers from many of the same considerations already mentioned for Part 72, above. Therefore, our comment on NUREG-2215 includes the entirety of the instant document and the companion HELMS document. The vast majority of NUREG-2215 will require no changes even if we achieve our goal of getting the nuclear industry and regulator agency to embrace the HELMS criteria. However, throughout, there are a few important changes and since the concept of longer life is a fundamental assumption to the review plan, other changes throughout NUREG-2215 will be required. And specifically, we offer the following specific comments. [Footnote: Although this document has been submitted as comment to NUREG-2215 prior to the deadline, the version we submit in the final petition process may be slightly revised. Please utilize the petition version once it is submitted.]"

CONTENTION 34. LICENSE TERM vs. DESIGN LIFE vs. PASSIVE LIFE

CONTENTION 35. A NEW SECTION is needed to separately address the needs for HELMS-compliant extended-life storage at a DSF (MRS and CIS storage) to separately address the longer life requirements for these systems.

CONTENTION 36. Overpack Dimensions for any on-site facilities SHOULD include the option that they can be upgraded to incorporate the outer shell of the DWC system, and be HELMS compliant.

CONTENTION 37. Page 8-43, "8.5.15 Management of Aging Degradation" CONTENTION 38. Page 9-3, "9.4.2 Confinement Monitoring Capability"

CONTENTION 39. Page 11-6, "11.4.5 Repair and Maintenance (SL)”

Proposed Response 18

- The NRC received a petition for rulemaking and included in the petition are some comments on NUREG-2215; although a rather unorthodox manner of submitting comments, they were evaluated. Comments on NUREG-2215 can be found in paragraphs 20-29 of the petition, however, these comments are based principally on an assumption that the petition for rulemaking will proceed as the petitioner requests and the regulations will be revised as the petition requests. Although we expect the petition to be docketed, no decision has been made with respect to the merits of this petition and what if any changes to the regulations might be considered.

- Staff reviewed the cited paragraphs from the petition and determined that any changes resulting from the petition for rule change could potentially require changes to NUREG-2215 to be consistent with any changes to the rule. As such, the NRC is required to follow the current rule, and any changes based on the comments contained in the petition are premature.

Comment 19

- Comments not directly related to NUREG-2215

Proposed Response 19

- Many comments received were not specific to NUREG-2215. Many of the comments refer to:
  - Use of thin-walled casks at storage sites
  - Radioactive material releases
  - Stress corrosion cracking
  - Conservative assumptions
  - Many specifically directed to material stored in California

Proposed Response 19 (continued)

- The NRC has responded to these types of questions on several occasions, including the responses found in ADAMS at:
  - ML17318A166, Thin walled canisters
  - ML032880058, Radioactive material releases
  - ML16125A534, Stress Corrosion Cracking (SSC)
  - ML16117A082, Welding repair for SSC
- NUREG-2215 is a consolidation of existing guidance for staff to use when reviewing the safety of spent fuel dry storage systems and facilities.
- As always, the NRC's missing is to maintain the safe and secure use of radioactive materials