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**Docket:** NRC-2018-0109

Draft Letter to the Nuclear Energy Institute Regarding the Clarification of Regulatory Paths for Lead Test Assemblies

**Comment On:** NRC-2018-0109-0002

Draft Letter to Nuclear Energy Institute Regarding Clarification of Regulatory Paths for Lead Test Assemblies

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## General Comment

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The nuclear industry seeks ways to cut its costs. It is hoping that new fuel designs, called Accident Tolerant Fuel, will enable them to significantly reduce costs. Some ATF designs feature fuel pellets made of material other than the traditional uranium dioxide. Some ATF designs feature fuel rods made of material other than the traditional zircaloy.

For decades, the industry has developed new fuel designs that the NRC allowed to be implemented via a tried and true process. Owners would submit license amendment requests to the NRC seeking approval to load a small number of Lead Test Assemblies (LTAs) into the reactor cores. If these small, NRC-approved tests proved successful, the tested fuel designs could be used more broadly.

Sometimes, the new fuel designs required exemptions from certain federal regulations. In that case, owners would apply to the NRC for the exemptions.

Now, the NRC proposes to turn it all over to the industry. No license amendment requests (hence, no opportunity for public intervention) and no exemption requests. Just the industry policing itself with no oversight.

If the unapproved experiments in people's backyards work, the industry hopes to realize significant savings.

For example, some of the ATF designs seek to lessen the amount of hydrogen gas generated during accidents. Commendable goal. But if achieved, the industry will seek to eliminate hydrogen control measures at their plants (and the costs of maintaining them). Also, some ATF designs take longer to heat up to the melting point. If so, owners will likely seek to relax response times for emergency power systems and emergency makeup cooling systems.

NRC staffers have formally opposed this NRC plan, or scheme, or gambit. I concur. It should be rejected in service of the public welfare and safety.