

TENNESSEE VALLEY AUTHORITY (53 FR 21550)

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U.S. Nuclear Regulatory Commission
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Gentlemen:

NRC - PROPOSED RULE 10 CFR PART 71, TRANSPORTATION REGULATIONS: COMPATIBILITY WITH THE INTERNATIONAL ATOMIC ENERGY AGENCY (IAEA)

TVA has reviewed and is pleased to provide the enclosed comments on the subject proposed rulemaking published in the June 8, 1988 Federal Register (54FR 21550-21581). These comments are simultaneously being submitted to the Department of Transportation to address proposed rulemaking on 49 CFR Parts 171-178.

We appreciate the opportunity to provide these comments.

Very truly yours,

TENNESSEE VALLEY AUTHORITY

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Enclosure

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Enclosure

COMMENTS ON NUCLEAR REGULATORY COMMISSION (NRC)
AND DEPARTMENT OF TRANSPORTATION (DOT) REGULATIONS -
COMPATIBILITY WITH REGULATIONS OF THE INTERNATIONAL ATOMIC ENERGY AGENCY

In addition to comments provided by UWASTE/NUMARC regarding the proposed regulations, TVA offers the following comments:

1. Proposed regulations addressing low specific activity material (LSA)

49CFR173.425 and 10CFR71.10

For the reasons stated in the UWASTE/NUMARC comments on the redefinition of LSA, TVA is likewise opposed to its redefinition. TVA believes that the costs associated with the redefinition of LSA would be excessive without providing any public safety benefits.

TVA estimates the first year cost to be approximately \$290,000 (1990 US Dollars) to implement the proposed 2 X A1 methodology. This cost does not include inflation, expected increased disposal costs, or extended demurrage for leased casks, and is based upon the operation of four of a six possible nuclear units in the next ten years. The one-time-only cost would be \$24,800; the annual cost would be \$265,200. TVA owns casks that meet the current requirements for most of our resin shipments; however, TVA does not own a cask that would meet the proposed requirements.

The Regulatory Analysis prepared by Pacific Northwest Laboratory for the NRC indicates that the initial cost to the industry in support of the 2 X A1 proposed rule is \$1.8 million and a continuing annual cost of \$1.7 million. TVA believes that these costs are significantly underestimated and that the assumptions used to support their evaluation are outdated (1980 data).

Because there are so few Type B casks currently available to the industry, there is a potential for a significant added cost to purchase or construct onsite storage facilities to hold resin liners while waiting for the availability of a Type B cask. The alternative is to incur the additional cost of purchasing and maintaining Type B casks, as well as additional delays associated with their design, fabrication, and licensing.

There is also an additional cost associated with packaging dry active wastes (DAW) under the proposed regulations. Because the metal boxes used for DAW do not pass the free drop test required for an Industrial Package-II, it would be necessary to strengthen metal boxes and test them to meet the proposed standards.

In conclusion, TVA agrees with the conclusion in the Sandia Report (SAND87-2808, TTC-0768, UC-71, August 1988, p.51) which states:

Based on the analyses in this report, current LSA limitations are sufficient to prevent excessive external radiation exposure to an individual following a severe transportation accident.

In the alternative, NRC and DOT should allow utilities the option of adopting the IAEA's requirement of 1 rem/h at 3 meters from the unshielded surface of the LSA material, or an appropriate multiple of A1 rather than a standard more restrictive than the IAEA standard.

2. Proposed regulations addressing surface contaminated objects (SCO-II)

49CFR173.403 and 10CFR71.4

TVA does not believe that more restrictive non-fixed contamination limits for objects of nonradioactive material externally contaminated with radioactive material are warranted. For instance, the reduced limits would require extensive decontamination of outage support equipment and vendor dewatering, solidification, and transportation equipment. This would impose increased exposure to personnel with very little, if any, increased margin of safety to the public, since the objects are already in containers when shipped.

3. Exemption from Specification Marking and Labeling for exclusive-use shipments of LSA and SCO

49CFR173.425

The proposed regulations do not exempt LSA shipped as exclusive-use from specification marking and labeling, as do the current regulations. Consequently, the proposed regulations afford no advantage to shipping LSA and SCO in an exclusive-use shipment, but instead, only provide additional requirements. This will potentially increase the number of nonexclusive-use shipments, and thus increase exposure to transportation workers.

Communication controls for exclusive-use shipments should not be as stringent as those for nonexclusive-use shipments because exclusive-use shipments limit the contact of the package to the shipper and the receiver. TVA suggests that the exemption for specification marking and labeling currently found in 49CFR173.425(b) be added to the proposed 49CFR173.425(f) for LSA and SCO shipped exclusive-use.

4. Typographical Errors

TVA has noted the following typographical errors:

49CFR173.403, definition for LSA-III Solids, subsection (i), "insouble" should be "insoluble."

49CFR173.411(b), "by any of the authorized methods" is typed twice.

49CFR173.443(d), "or" should be added between "highway" and "rail."

5. TVA notes that, for instance, in the definition of LSA-II (49 CFR 173.403 and 10 CFR 71.4), differing numbers are used. We suggest that where regulations overlap or address the same topics or expressions, the identical terminology be used to ensure consistent interpretation.