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58FR49333
9/22/93
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Detroit
Edison

Douglas R. Gipson
Senior Vice President
Nuclear Generation

Fermi 2
6400 North Dixie Highway
Newport, Michigan 48166
(313) 586-5249

November 12, 1993
NRC-93-0120

Chief, Rules Review and Directives
Branch
U.S. Nuclear Regulatory Commission,
Washington, DC 20555

- References: 1) Fermi 2
NRC Docket No. 50-341
NRC License No. NPF-43
- 2) Detroit Edison Letter NRC-92-0088, Detroit
Edison Comments on the Nuclear Regulatory Commission's
"Proposed Concentration Averaging and Encapsulation
Technical Position Revision in Part", dated August
26, 1992
- 3) NRC Letter, "Reissuance of Proposed Concentration
Averaging and Encapsulation Technical Position,
Revision in Part", dated September 16, 1993

Subject: Detroit Edison Comments on the Nuclear Regulatory
Commission's "Reissuance of Proposed Concentration
Averaging and Encapsulation Technical Position, Revision
in Part"

Detroit Edison is participating in the industry's review of this reissuance of the Branch Technical Position through the Edison Electric Institute/Utility Nuclear Waste and Transportation Program. Detroit Edison firmly supports the position taken by the Edison Electric Institute that the Branch Technical Position should be significantly modified to make it consistent with the technical basis for 10CFR Part 61 or it should be withdrawn. In addition, Detroit Edison wishes to present additional comments, as discussed below.

Detroit Edison, as a Michigan generator does not have access to any Low Level Radioactive Waste disposal sites. The lack of access to a disposal site precludes us from determining our disposal site criteria. Detroit Edison's concern is that without a reference for determining the disposal site criteria, any pre-packaged waste material which was generated as class A, B, or C should be re-classified to be consistent with the Branch Technical Position. Since certain conditions for disposal are based on a case-by-case basis under the alternate provisions section, any material in question may require additional characterization information which may not have been previously required. The added work associated with the additional characterization would result in unnecessary radiation exposure to Fermi 2 personnel which is contrary to As Low As Reasonably Achievable (ALARA) philosophy.

November 12, 1993

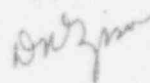
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Therefore, Detroit Edison wishes to re-emphasize its comment made in Reference 2 that, as a minimum, if the proposed Branch Technical Position is issued, a "grandfather" provision be included to allow previously packaged radwaste to be classified in accordance with accepted practices at the time of packaging. This will reduce radiological exposure to Fermi 2 personnel while ensuring that radioactive material is properly packaged.

If you have any questions concerning our comments, please contact Bryan Weber, Supervisor Radioactive Waste Shipping at (313) 586-4926 or Joseph Pendergast, Compliance Engineer at (313) 586-1682.

Sincerely,



cc: T. G. Colburn
J. B. Martin
M. P. Phillips
W. G. Kropp
Region III

USNRC

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bcc: P. Fessler
D. R. Gipson
L. S. Goodman
R. McKeon
W. E. Miller, Jr.
R. A. Newkirk
D. P. Ockerman
R. B. Stafford
W. M. Tucker
J. G. Walker

Information Management (140 NOC)

Secretary's Office (2412 WCB)

D. R. Hahn (Michigan Dept./Public Health

NSRG Secretary/ISEG Coordinator (230 AIB)

UFSAR Coordinator

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W. Lams
58FR49333
9/23/93

Department of Energy
Washington, DC 20585

November 9, 1993

(2)

DS09

Michael Lesar, Chief
Rules Review and Directives Branch
U.S. Nuclear Regulatory Commission
Washington, DC 20555

Dear Mr. Lesar:

In a Federal Register Notice dated September 22, 1993 (58 FR 49333), the Nuclear Regulatory Commission (NRC) announced the availability of a revised version of its proposed technical position on concentration averaging and encapsulation. NRC requested public comments on the proposed technical position by November 15, 1993.

Because the technical position may affect DOE programs (e.g., acceptance of commercial greater-than-Class C low-level waste for disposal), we have distributed the Notice and technical position within DOE headquarters and field offices, and are coordinating the collection and preparation of DOE-wide comments. Because DOE is a large organization, we are concerned that we may not be able to complete this process by the date specified in the Notice. In addition, we note the delay between the time that the Notice was published and the time that NRC distributed the proposed technical position to DOE and others.

Therefore, we respectfully request a thirty-day extension for the period of comment. If you have questions, please contact Mr. G. Roles (202-586-0289).

Sincerely,

Andrew Wallo III
Director
Air, Water and Radiation Division
Office of Environmental Guidance