

DEC 09 1993

MEMORANDUM FOR: Robert F. Burnett, Director
Division of Fuel Cycle Safety
and Safeguards

FROM: Theodore S. Sherr, Chief
Regulatory and International
Safeguards Branch, FCSS

SUBJECT: STANDARD REVIEW PLAN ACCEPTANCE CRITERIA MEETING,
NOVEMBER 8, 1993 - SUMMARY -

On Monday, November 8, 1993, at NRC headquarters, the staff held the second of its series of public meetings with fuel cycle licensees to obtain information relevant to the development of acceptance criteria for the various areas of review within the Standard Review Plan (SRP). Fourteen representatives of industry were present, in addition to NRC staff and contractor representatives. Enclosure 1 is the list of attendees. Topics addressed were acceptance criteria for the Decommissioning, Radiation Protection, Waste Management, and Environmental Protection chapters of the SRP, in that order. Drafts of these chapters had been mailed in advance to participants who had registered with our coordinator, Joan Higdon. Sections 13.1, Waste Handling and Interim Storage, and 11.1, Decommissioning Funding Assurance, were handed out at the beginning of the meeting, having been omitted by mistake from the mailing.

Initially, meetings had been scheduled for morning and afternoon sessions for both Monday and Tuesday. However, upon review of the draft materials, the industry representatives had estimated that all four topics could be covered in one day, and requested that the meetings be rescheduled that way, so that less time would be spent in travel status. We were able to accommodate this request.

Introductory remarks were made by Barry Mendelsohn, Section Leader of the Regulatory Development Section, Regulatory and International Safeguards Branch, and by the SRP Project Manager, Jerry Swift, who took the staff lead for each topic this day, assisted by the licensing contacts. For each topic, a brief introduction of the chapter was followed by comments by the industry representatives, with Mr. Marvin Fertel taking the lead. Enclosures 2,3,4, and 5 are synopses of the comments received on the draft SRP acceptance criteria on decommissioning, radiation protection, waste management, and environmental protection, respectively.

*CD&R-5 (Safety Licensee)
X CD&R-13 (Regulatory Information)
X CD&R-6 (NRC)*

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ATTENDEES
STANDARD REVIEW PLAN ACCEPTANCE CRITERIA MEETING
November 8, 1993

Fuel Cycle Industry

David Culberson	Nuclear Fuel Services, Inc.
James B. Edgar	Siemens Power Corp.
Harold E. Eskridge	ABB Combustion Engineering
Marvin S. Fertel	U.S. CEA
Roger E. Fischer	Westinghouse CNFD
Darryl Gordon	B & W Fuel Co.
Craig Harlin	Sequoyah Fuels Corp.
Felix M. Killar, Jr.	U.S. CEA
Peter LeRoy	Louisiana Energy Services
Rupert J. McCormac III	Westinghouse CNFD
Marie Moore	Nuclear Fuel Services, Inc.
Scott Murray	General Electric
Steve Schilthelm	B & W NNFD
Robert A. Williams	Westinghouse CNFD

Nuclear Regulatory Commission

Raj Auluck	RES
George Bidinger	NMSS/FCSS/FRIB
Willard B. Brown	NMSS/FCSS/FRIB
Stephen P. Burris	Region II
Gary C. Comfort, Jr.	NMSS/FCSS/FCLB
Chuck Emeigh	NMSS/FCSS/FCLB
Edwin Flack	NMSS/FCSS/FCLB
Gordon Gundersen	RES
Joan Higdon	NMSS/FCSS/FRIB
Barry T. Mendelsohn	NMSS/FCSS/FRIB
Theodore S. Sherr	NMSS/FCSS/FRIB
Jerry J. Swift	NMSS/FCSS/FRIB
Mary L. Thomas	RES
Tom Wenck	NMSS/FCSS/FCLB

Others

Ray Carroll	Martin Marietta Utility Systems, Inc.
Daisy Ligon	MITRE Corporation

COMMENTS ON THE DRAFT DECOMMISSIONING ACCEPTANCE CRITERIA

NOTE: By mistake, Section 11.1, on the Review of the Decommissioning Funding Plan, was not mailed to the participants in advance of the meeting. It was made available at the beginning of the meeting, but the participants had no opportunity to review it before that.

1. Section 11.0, for Review of the Decommissioning Plan, addresses a detailed decommissioning plan, appropriate to a final decommissioning. This kind of decommissioning plan would not be filed with either a new application, or with an application for a license renewal. Therefore, the licensee representatives conclude this does not belong in the subject SRP, and they propose not to review this section in detail now.

(Staff agreed with this observation, and noted that there seemed to be a gap in the SRP on the topic of the conceptual decommissioning plan that the applicant would assemble to support the decommissioning cost estimate that is the basis for the amount of financial assurance provided in the Decommissioning Funding Plan.)

2. Section 11.1 fills in a need with regard to the Decommissioning Funding Plan. The participants will submit written comments on it. They note that it constantly refers to Regulatory Guide 3.66 and the section itself contains a great amount of detail. They are concerned that any differences in wording between R.G. 3.66 and the SRP can cause confusion.
3. The SRP should include the newly published requirements for record keeping for decommissioning (on spills, onsite disposals, et.) (58 FR 39,628, July 26, 1993).
4. The SRP or R.G. 3.66 should give guidance to the staff regarding staff review concerning partial withdrawal of decontamination and decommissioning funds. Two forms of limit are given. Is the limit on the percentage requirement specified in the Code of Federal Regulations or was it established in some other way?

COMMENTS ON THE DRAFT RADIATION PROTECTION ACCEPTANCE CRITERIA

1. This chapter contains a lot of detail which they are not addressing in this meeting. Some comments will be provided in writing, by Steve Schilthelm of B&W NNFD and probably others.
2. This SRP chapter is very prescriptive. Radiation Protection is probably the SRP topic area which is most mature in the licensed fuel cycle facilities. Existing Radiation Protection programs are well developed, and each is probably the preferred approach for its particular facility, even though it may not conform to the SRP chapter.
3. The SRP chapter refers to Regulatory Guide 8.8 which is about radiation protection programs at nuclear power plants. There needs to be a Regulatory Guide on this topic for fuel cycle facilities. A lot of the prescriptive material in the SRP chapter should be in a Regulatory Guide. The staff should consider issuing such a Regulatory Guide.
4. The SRP Acceptance Criteria should bring out the objectives of the review, the performance objectives, and it (or a Regulatory Guide) should address examples of various ways to meet the objectives, and also give examples of approaches found unacceptable.
5. The SRP chapter is too prescriptive where it addresses the structure of the organization. A facility's organization might be structured differently but still achieve the objectives. The requirements for individual personal qualifications are too specific. An organization with a different structure might have appropriate knowledge and experience within its various members, but not conform to the SRP chapter.

An example of a better section is the one on Training; it covers the topic adequately with a lesser level of detail.

6. The SRP chapter calls for a great deal of detail. It will make the review process take longer. Further, having so many of the details in the license will make it difficult to make changes. The licensees would prefer being able to make changes at the procedural level, rather than in the license.

As an example, in the SRP chapter on page 5-6, at Section C., the first two sentences provide a criterion. The rest is methods of doing it.

7. The SRP development process should recognize that (1) all expected license applications are renewals, (2) the new revision of Part 20 is being implemented at the licensed facilities, which calls for review of their radiation protection programs, a review effort that should not be unnecessarily duplicated in the license renewal process.

Steve Schilthelm provided the following specific comments:

8. At page 5-1, the description of an ALARA committee is very prescriptive with regard to its membership.

9. At page 5-2, item c on documentation of reviews should be rewritten to clarify that the intent is to provide documentation of ALARA achievements (rather than reviewing previous license reviews). As is, it looks like an Inspection and Enforcement instruction rather than license review. Another example is on page 5-6, subsection B, about filter testing. (Staff remarked that the reviewer should be looking at design criteria, performance criteria, rather than at actual performance.)
10. Regarding the area of organization and personnel qualifications, beginning on page 5-2, the Acceptance Criteria are very specific. There are a lot of options to achieve the purpose. It should specify more clearly what is really wanted.
11. An NRC Regulatory Guide is clearly needed on radiation protection. It is better not to duplicate a Regulatory Guide with the SRP.
12. On page 5-4, there is a high level of prescription concerning the RWP program. It provides one way to achieve the aims, but various licensees may have other approaches that are just as effective.
13. On page 5-5, a training refresher once a year is specified. Most licensees are now on a biennial schedule.
14. On page 5-6, it states that the licensee shall commit to systems operating in such a manner that the limits of 10 CFR Part 20 are not reached during normal operations. The regulations themselves are more flexible than this requirement. Ventilation management typically differs from one licensee to another. It is a topic where there is room for a lot of discussion between the reviewer and the licensee.
15. The material on the topic of air sampling seems oriented toward continuous air monitors. It implies that the licensee must have them, but in many cases they don't work. There are ways to achieve the objectives other than fixed sampling.
16. Page 5-9, in item 3, calls for specific limits for personnel contamination. Normally background is the value used, or the LLD. Does the NRC want to set some other value for personnel contamination?
17. At the top of page 5-11, dosimeter exchange intervals are specified which are too prescriptive.

Other participants commented:

18. In a number of places, it is written so it appears to be more oriented to inspection and enforcement than for review of an application.
19. On page 5-3, concerning qualifications, it calls for a radiation technician to have at least one year of applied experience. Technicians can be trained in less time. It is a substantial burden to not have them on-line for a year.

20. The requirement for testing of HEPA filters implies that the licensee must have them, and must test them. There is no requirement to have HEPA filters. The implication is that other means of aircleaning are not acceptable.
21. Some means is needed to bring out in the SRP and frequently remind license application reviewers that alternative approaches to the one specified in the SRP may be equivalent or even better.

COMMENTS ON THE DRAFT WASTE MANAGEMENT ACCEPTANCE CRITERIA

NOTE: By mistake, Section 13.1 Waste Handling and Interim Storage, was not mailed to the participants in advance of the meeting. It was made available at the beginning of the November 8, 1993, meetings.

1. Section 3.2, Waste Management Systems, is written for waste-stream processing like that at a nuclear power plant. At fuel cycle facilities, the waste management of interest is primarily the collection, handling and packaging of solid waste for shipment to an authorized disposal facility. Specific comments will not be forthcoming on this section.

(Staff comment: Most of the work is SNM processing, regulated under nuclear criticality safety and radiation protection. there is no need for much of a Waste Management chapter.)

2. Part 61.55, Waste Classification, and Part 61.56, Waste Characteristics, are useful and applicable regulations. Also, the requirements of the disposal sites are useful and de facto industry standards.
3. Control of effluents mentioned in Section 13.2, should be in the Environmental Protection chapter rather than in Waste Management.
4. Most fuel cycle facilities do not have formal radioactive waste management systems, because the waste is only a limited amount of solids, at the end of the process.
5. In Section 13.1, the note in brackets states that additional regulation is needed. There is no apparent need for additional regulations in this area.
6. Written comments on Section 13.2 will be submitted.

COMMENTS ON THE DRAFT ENVIRONMENTAL PROTECTION ACCEPTANCE CRITERIA

1. Written comments will be submitted on this chapter.
2. The application and its review have to satisfy NEPA, as set forth in 10 CFR Part 51. However, the NRC should recognize that fuel cycle license renewals are being addressed, not new applications. The NRC reviewer should look at the Environmental Report (ER) and Supplements to the ER primarily with regard to any changes in the environmental impacts, differences between future impacts and the impacts of past operations.
3. There should be a SRP for the review of the Environmental Report. This SRP chapter does not address all the NEPA requirements. The current Part 51 gives enough direction. (Staff response was that this chapter is to address review of the applicant's proposed environmental monitoring programs.)
4. This has too much detail regarding monitoring for gaseous effluents.
5. References on pages 2 and 4 to reviewing procedures should be changed. Procedures are kept at the plant and available there for inspection. Perhaps it should refer to review of analysis methods.

Steve Schilthelm provided some detailed comments:

6. On page 2, it refers to review regarding the particle sizes in gaseous effluents. Normally, we use standard assumptions for the particle sizes rather than measured values. This should not be a requirement.

(Others stated that usually the amount of radioactivity released is too small to provide enough particles to measure sizes. Staff commented that the licensee might want to take credit for the particle size distribution in calculating dose to the public.)
7. At the bottom of page 4, sampling of effluents from non-process areas should not be required, it is not necessary. Also, it is not necessary that effluent release points be continuously monitored, only that representative samples are obtained.
8. It should refer to sampling and analysis methods, not procedures.
9. Regarding the sentence that runs from page 4 to page 5, it is not necessary that the effluents be less than Part 20, Appendix B. There is more than one way to satisfy 10 CFR Part 20. Also, it may be unreasonable to require LLDs to be less than 5 percent of the Appendix B values.
10. For environmental monitoring (sampling in the environment) it is wrong to compare to Part 20, Appendix B.
11. On page 3, the eighth bullet appears to be requiring the licensee to quote 10 CFR to the NRC.

ENCLOSURE 5

Comments from others:

12. The NRC license application review should determine whether the licensee is committing to a program that has the characteristics needed. How the commitments are carried out is evaluated later by the inspection process.