

50-255/266/301/212/368  
72-5/72-7/72-13/72-1007



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D.C. 20555-0001

March 5, 1996

Ms. Fawn Shillinglaw  
1952 Palisades Drive  
Appleton, Wisconsin 54915

SUBJECT: RESPONSE TO LETTERS OF DECEMBER 9, 1995, AND DECEMBER 29, 1995,  
REGARDING THE CONTROL AND USE OF SAFETY ANALYSIS REPORTS FOR SPENT  
FUEL DRY STORAGE CASKS LICENSED UNDER 10 CFR PART 72

Dear Ms. Shillinglaw:

In your letters of December 9, 1995, and December 29, 1995, you raise several issues concerning the use and control of safety analysis reports (SARs) for spent fuel dry storage casks licensed under Part 72 of Title 10 of the Code of Federal Regulations (10 CFR). In the December 9, 1995 letter, you recommend that the Nuclear Regulatory Commission require that the SAR for a cask design certified under the provisions of 10 CFR Part 72, Subpart L, fully conform with the associated NRC safety evaluation report (SER) and certificate of compliance (COC) before NRC certification of the cask design. Current practice permits cask vendors to conform their SARs subsequent to NRC staff issuance of the SER and COC. Further, you request that whenever the SAR is referenced in documents, the revision date and number be specified. You note that this has not been done in the past and cite the VSC-24 cask as an example. You believe that, as a result, there is confusion among various parties concerning the appropriate SAR revision to be followed and, hence, a possibility that licensees and/or their agents will fail to adhere to all of the requirements contained in NRC's SER and COC. You also ask about the procedures to be followed for vendor-initiated changes to the SAR for a particular cask design and suggest that clarification is needed regarding the effect of such changes on general licensees either already using or seeking to use that design. In the December 29, 1995 letter, which you ask be considered along with the December 9, 1995 letter, you repeat the above concerns and describe (and question) changes which you believe were made to the VSC-24 cask by the vendor, Sierra Nuclear Corporation. As a separate matter, you express concern regarding the unavailability of plant-specific cask unloading procedures.

Insofar as your comments request that NRC impose requirements on the contents of SARs, they are being considered by the staff as a request for rulemaking as provided for in the Commission's regulations at 10 CFR 2.802. NRC intends to use the provisions and procedures of Section 2.802 to further evaluate your request and the need for NRC to propose revisions to 10 CFR Part 72.

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Regarding your question about the requirements for making changes to the SAR following issuance of the COC, certain specified changes involving the SAR are allowed under the provisions of 10 CFR 72.48, "Changes tests, and experiments," or similar provisions that may be contained in the applicable COC. Changes made under 10 CFR 72.48 (or the applicable COC) that do not require prior NRC review and approval may subsequently be inspected by NRC staff.

As for your questions about the "Summary of WEPCO Changes to VSC-24," the staff has reviewed the contents of the table and found that it lists changes to cask fabrication details. In this regard, NRC considers Wisconsin Electric Power Corporation's review and approval of the changes proposed by Sierra Nuclear to be consistent with the requirements of 10 CFR 72.48. Therefore, the changes are not required to be submitted to the NRC for review; however, they are subject to inspection by NRC staff at any time.

In answer to your concern regarding access to cask unloading procedures, plant specific procedures often expand upon the generic procedures described in the SAR and include site-specific information. These site-specific cask unloading procedures are written, evaluated, and retained by, the licensee. Although subject to NRC inspection, the procedures are not generally submitted to the Agency. As such, they are not available to the public through the NRC.

Sincerely,

*151*

William D. Travers, Director  
Spent Fuel Project Office  
Office of Nuclear Material Safety  
and Safeguards

Docket Nos.: 50-255, 50-266/301, 50-313/368,  
72-5, 72-7, 72-13, & 72-1007

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**ACTION**

EDO Principal Correspondence Control

*Closed*

FROM: Fawn Shillinglaw  
Appleton, WI

DUE: ~~12/28/95~~

EDO CONTROL: 0000880  
DOC DT: 12/09/95  
FINAL REPLY: *3/5/96*

~~1/12/96~~  
*3/6/96* per CJP to  
M. Bridger  
2/7/96

TO: Chairman Jackson

FOR SIGNATURE OF :

\*\* GRN \*\*

CRC NO: 95-1093

~~Russell~~ *Paperiello*

DESC: CONCERNING STORAGE CASKS

ROUTING:  
Taylor  
Milhoan  
Thompson  
Blaha  
Paperiello

DATE: 12/13/95

ASSIGNED TO:

CONTACT: *E. Easton*

NRR

Russell

SPECIAL INSTRUCTIONS OR REMARKS:

SFPO Action  
Due to NRCSS Director's Office  
By *3/5/96*  
*rec'd 2/7/96*

SFPO: *2/26/96*  
*26*  
Please prepare  
response for  
C. Paperiello 1st.

