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**Loren G. Jennings**  
State Representative

District 18B  
Chisago and Pine Counties



# Minnesota House of Representatives

COMMITTEES: General Legislation, Veterans Affairs & Elections-Chair;  
Health and Human Services-Health & Human Services Finance;  
Regulated Industries and Energy

December 27, 1996

Mr. Charles J. Haughney, Acting Director  
Spent Fuel Projects Office  
Office of Nuclear Material Safety and Safeguards  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555

Dear Mr. Haughney,

On December 20, 1996, I sent you a letter requesting a clarification of a comment made at a May 30, 1996 NRC meeting that spent nuclear fuel cannot be safely unloaded. I had intended to include a copy of that statement with my letter but it was inadvertently omitted.

Please accept my apologies for any inconvenience or confusion this may have caused, however, I would like to reiterate that I would appreciate a response before our legislative session begins on January 7, 1997. Thank you in advance.

Sincerely,

Representative Loren G. Jennings, Chair  
Regulated Industries and Energy Committee

(copy enclosed)

*Thank you*

*NF06/1*

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unloading sequence is essentially the a reverse of the loading sequence." A true and correct copy of page 12-2 of the Report is attached hereto and incorporated herein as

Exhibit "C": *Comments by Alan Childs, TREASURER P.I.T.C., at 12/15/96 mtg of the MN. E.Q.B.*

8. However, on May 30, 1996, Andrew Kugler, Lead Project Manager, Dry Cask Storage, for the NRC made the following statement regarding cask unloading problems at an open meeting of the Commission in Rockville, Maryland:

...For the unloading procedures, what we are finding is that they are more complex than the loading procedures. Unfortunately, some of the older SARs fail to recognize this and tend to indicate that unloading is simply the reverse of loading, which is not true. For one thing, licensees need to consider the potential condition of the fuel when they go to unload it. Depending on the situation, the fuel may have been in the cask for decades, and they need to evaluate the condition of the fuel to the extent possible before they start unloading it... There are also issues associated with the re-flooding of the cask. During the unloading process we have to refill the cask with water. There are some issues associated with that such as cask pressurization due to steam generation as you put cold water onto the hot fuel. Also, the consideration of any thermal shock to the fuel as you are re-flooding it, and also radiological protection for the workers during the phase, because you will be venting the cask... In addition, there is essentially no cask unloading experience for them to look back on for lessons learned. So they don't have the information available to them as compared to loading procedures. [Emphasis Added].

A true and correct copy of the above excerpt from the May 30, 1996 NRC meeting is attached hereto as Exhibit "D".

9. The Report of the Site Advisory Task Force to the MEQB of January 1996, upon which the MEQB based the two orders which are the subject of this appeal, itself states:

The EQB should require more extensive studies of dry cask design and testing. There are too many uncertainties with the various aspects of cask testing and the lack of long-term low-level radiation dosages at this time. A dry cask has never been unloaded. The NRC has allowed utilities to load dry casks despite the fact that no utility has unloaded radioactive nuclear waste from a dry cask. [Emphasis Added]. Report of the Site Advisory Task Force to the Minnesota Environmental Quality Board of January 1996, page 38.

A true and correct copy of the Report is attached hereto as Exhibit "E".