

U.S. Nuclear Regulatory Commission Public Meeting Summary

May 24, 2022

Title: Public Meeting to Discuss the NRC Staff's Consideration of Options for a Potential Rulemaking on Independent Spent Fuel Storage Installation Security

Date: May 24, 2022

Location: Webinar

Category: Comment-Gathering Meeting

Purpose of the Meeting: Discuss the NRC staff's development of a Commission paper presenting options for a proposed rulemaking on independent spent fuel storage installation (ISFSI) security requirements.

General Details: The meeting was attended by 80 individuals, including NRC staff, industry, other government organizations, non-government organizations, congressional staff, the public, and the press.

Summary of Presentation: The NRC staff provided background on the ISFSI security rulemaking, four rulemaking options staff identified for the Commission paper, and staff's criteria for evaluating the options.

Summary of Public Feedback: Following the staff's presentation, the staff opened the meeting for an interactive discussion where stakeholders could ask questions and provide comments on the rulemaking activity. Some stakeholders provided high-level feedback in support of the scope of rulemaking options presented and the clarity of the staff's presentation.

One commenter indicated a preference for Option 4 ("Perform a future reassessment to identify alternatives to the dose-based approach"). This commenter reiterated concerns with Option 3 ("Continue the 2007 Commission-directed rulemaking to implement the dose-based approach") that the commenter had expressed during previous staff engagement with stakeholders on the ISFSI security rulemaking. The commenter's specific concerns with Option 3 related to a lack of validation models necessary to provide an accurate assessment of source terms necessary to implement the dose-based approach. This commenter expressed a preference for a methodology where licensees would use a denial-of-task strategy to prevent identified attack modes that could lead to significant fuel damage. This commenter noted that, if the schedule for Option 4 would be lengthy, Option 3 would be preferable to Option 4, provided that a means for validation of the models to develop source terms could be established.

Another commenter expressed dissatisfaction that the paper would not include a comparison of the costs associated with requiring hardened on-site storage at ISFSIs and the transportation of spent fuel to a consolidated interim storage facility. This commenter requested more information on Item 11 of the Petition for Rulemaking-72-6 (74 FR 9178) on this topic that staff previously reserved for consideration within the scope of the ISFSI security rulemaking.

Some commenters requested information on the staff's position regarding the need to process facility and personnel clearances for stakeholders to allow the NRC staff to share classified information with stakeholders related to the technical basis for the rulemaking. A commenter

noted that the time associated with processing these clearances should be considered when evaluating the options.

Commenters requested that the staff explain the definition of the term “release fraction,” the definition of the term “stakeholder,” the relationship between this paper and the staff’s concurrent paper on rulemaking options for enhancing security of special nuclear material, the relationship between the 5-rem dose-limit criterion described in Option 3 and protective action guides for emergency preparedness, and the relationship between the vulnerability assessments associated with the rulemaking options in this paper and the staff’s ongoing activity to continuously monitor the threat environment.

One commenter noted the value in improving the clarity of the ISFSI-security requirements. Two commenters expressed opposing positions on the likelihood of specific threat scenarios previously considered by staff in the development of the ISFSI security rulemaking. One commenter asked if the post-9/11 security orders issued to ISFSI licensees would be codified under Options 3 and 4. Another commenter indicated that Option 3 is not cost justified and noted an interest in engaging with the staff to support development of a cost evaluation for this option.

A commenter requested information on staff’s plans for additional public engagement on the development of the paper and requested that any draft versions of the paper be circulated to all stakeholders.

Action Items/Next Steps: Staff will develop a SECY paper to the Commission with options and a recommendation on the path forward for the ISFSI security rulemaking, with consideration of stakeholder input.

Attachments:

- Meeting notice and agenda – ML22144A102
- NRC staff presentation – ML22123A158

Accession No.: **ML22147A109**

OFFICE	NSIR/DPCP/MSB	NSIR/DPCP/MSB
NAME	Johari Moore	Alison Rivera
DATE	05/26/2022	05/27/2022

OFFICIAL RECORD COPY

MEETING ATTENDANCE

PUBLIC MEETING TO DISCUSS THE NRC STAFF'S CONSIDERATION OF OPTIONS FOR A POTENTIAL RULEMAKING ON INDEPENDENT SPENT FUEL STORAGE INSTALLATION SECURITY

WEBINAR

MAY 24, 2022, 1:00 PM to 3:00 PM

Meeting Attendee*	Affiliation
Lance Rakovan	U.S. Nuclear Regulatory Commission (NRC)
Bergman, Jana	Curtiss-Wright Corporation
Johari Moore	NRC
Veena Gubbi	New Jersey Department of Environmental Protection
Keith Waldrop	not indicated
Nathan Faith	Constellation Nuclear
Michele Sampson	NRC
Jerry Humphreys	New Jersey Department of Environmental Protection
Ray Kellar	NRC
Doug Garner	NRC
Adam Gendelman	NRC
Neil Sheehan	NRC
Martin C. Murphy	Xcel Energy Inc.
Paul Hansen	Florida Power & Light Company (FPL)
Bruce Montgomery	Nuclear Energy Institute (NEI)
Eileen M. Moore	EnergySolutions
Fred Schofer	NRC
Cheryl Olson	Dairyland Power Cooperative
Cynthia Jones	NRC
Jeremiah Rey	NRC
Janet Schlueter	NEI
Joe Gillespie	NRC
Charity Pantalo	NRC
Alison Rivera	NRC
Gregory Trussell	NRC
Gary Purdy	NRC
Thomas Romay	PGN
Phil Couture	not indicated
Davis, J. Michael	FPL
Danna Hickey	Xcel Energy Inc.
Vince Williams	NRC
Steven Dolley	S&P Global
Jan Boudart	Nuclear Energy Information Service
Michael Norris	NRC
Dana Caron	NRC
Carl Storms	Portland General Electric Company
Tom Eck	NRC

Edwin Lyman	Union of Concerned Scientists
Katrina McMurrian	KSM Strategies
Tara Inverso	NRC
Marty Moe	Dairyland Power
Andrew M. Newman	Idaho National Laboratory
Daniel Forsyth	NRC
Matthew Marzano	Senate Environment and Public Works Committee
Phil Brochman	NRC
Jared Justice	NRC
Donald L. Karstetter	EnergySolutions
Marshall Kohen	NRC
Bradly J. McMahon	Dominion Nuclear Projects, Inc.
Richard Mogavero	NEI
Jim Lenois	Connecticut Yankee
Stan Day	3 Yankee Companies
Bill Gross	NEI
James Maltese	NRC
Geoffrey Miller	NRC
John Patrick	North Star
Matthew Widener	not indicated
David Schwarzbart	Sacramento Municipal Utility District
Jeff Isakson	Interim Storage Partners
John Tappert	NRC
Lisa Dimmick	NRC
Desiree Davis	NRC
Mike Callahan	Decommissioning Plant Coalition
Kris Cummings	NuScale Power
Jim Beardsley	NRC
Shana Helton	NRC
John Henkelman	Dairyland Power
David Brown	NRC
Jill Shepherd	NRC
John Pfabe	Westinghouse Electric Company
Richard Hardy	Pennsylvania State Government

*Nine unnamed individuals participated via phone.