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US NRC

A. Edward Scherer
Manager of
Nuclear Regulatory Affairs

65FR 8752

Feb. 22, 2000

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April 21, 2000

Chief, Rules and Directives Branch
Division of Administrative Services
Office of Administration
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555-0001

Subject: **Comments Regarding the Draft Final Technical Study of Spent Fuel
Pool Accident Risk at Decommissioning Nuclear Power Plants**

Gentlemen:

This provides Southern California Edison's (SCE's) comments regarding the NRC's "Draft Final Technical Study of Spent fuel Pool Accident Risk at Decommissioning Nuclear Power Plants."

SCE has no technical comments on the thermal evaluations of dry fuel assembly heatup in air. However, the range of outcomes which depend on specific fuel burnup histories and storage array details suggests that standard methods will need to be developed for a consistent application in using the regulations.

SCE notes the risk assessment portion of the study has been improved by incorporation of industry comments previously made. In its present form, SCE believes the risk assessments are defensible and sound. SCE also notes that the report concludes that there is no methodology currently available to assess probabilities of terrorist activity or behaviors which might culminate in attempted sabotage of spent fuel. SCE concurs that this precludes any meaningful consideration of probabilities regarding potential acts of sabotage.

The deterministic outcomes of postulated sabotage involves calculation using reasonably simple variables. However, standard methods will need to be developed for a consistent application in using the regulations.

The following are recommendations regarding the policy issues:

1. Emergency Preparedness - The integrated decommissioning rule should specify that the licensee is excused from 10 CFR 50.47 requirements after a period of one-year from final shutdown. The basis for this recommendation is drawn directly from the technical material presented, and little can be gained by closer analysis.
2. Security - The integrated decommissioning rule should allow licensees to be excused from 10 CFR 73.55 requirements upon a showing that the consequences of sabotage can not exceed a defined dose to the public at the site boundary.
3. Insurance - The obligation for secondary financial protection should end at such time that a determination can be made that clad surface temperatures greater than 570 degrees C can not occur in a dry configuration. The calculation of this temperature should be by approved methodology. However, as supported in the technical report, in the absence of any calculation, the obligation should end after a period which is less than five years. The capacity required of primary financial protection should be reduced after the period of time determined as above for secondary financial protection.

If you have any questions regarding these comments, please feel free to contact me or Dave Pilmer at 949-368-1486

Sincerely,

A handwritten signature in black ink, appearing to read "D. Pilmer", written in a cursive style.