

EXCERPT FROM THE MINUTES OF CRGR MEETING NO. 269

RELATING TO INCREASE IN CRGR SCOPE OF REVIEW

Attachment 2 to the Minutes of the CRGR Meeting No. 269

Proposed Expanded Scope of CRGR Review to Include Nuclear Materials Issues

February 14, 1995

TOPIC

The CRGR discussed with R. Bernero, Director, NMSS the possible expansion of CRGR review scope to include proposed new requirements in the nuclear materials area. NMSS proposed that the CRGR review of materials items be limited to selected nuclear materials items on a trial basis. This discussion was in response to the June 15, 1994 Commission directive (Background Item 2 below) that the staff consider expanding the scope of the CRGR review to include proposed requirements in the nuclear materials area. (This topic was also discussed previously by the Committee at Meeting No. 259.)

BACKGROUND

1. Commission Paper (SECY-94-109), dated April 21, 1994, "Scope of Review for the Committee to Review Generic Requirements (CRGR)"
2. SRM (SECY-94-109), dated June 15, 1994, "Scope of Review for the Committee to Review Generic Requirements (CRGR)"
3. Enclosure 4 to the Minutes of CRGR Meeting No. 259, dated August 3, 1994

CONCLUSIONS\RECOMMENDATIONS

R. Bernero, Director, NMSS identified several nuclear materials areas that might benefit from CRGR review; selected topics for future CRGR consideration discussed with the Committee included the following:

1. Dry cask storage of spent fuel - Items such as certification of multi-purpose (storage as well as transportation) canister systems through rulemaking.
2. 40 vs 100 year licensing of monitored retrievable storage sites east of Yucca Mountain (proposed legislation is currently pending before Congress).

3. Interim on-site low-level waste storage issues - Currently there are no generic requirements for on-site storage of low-level waste. A joint NRR-NMSS generic letter on the subject, addressing concerns related to potentially flammable and/or dispersible waste forms, is currently being considered.
4. Radiation\chemical safety\hazards considerations and criticality issues related to the low-enrichment-uranium (LEU) fuel fabrication facilities. The planned revision of 10 CFR Part 70 was identified as a likely topic for CRGR review in this context.
5. NMSS indicated that the Committee's perspective and advice on structural, electrical, and mechanical aspects of the regulation of spent fuel and waste storage/transportation operations, and LEU fuel fabrication facilities (from the systems, rather than process, perspective) could be helpful.
6. With regard to proposed new requirements that are risk\performance-based, the Committee can provide a useful independent assessment of under-regulation or over-regulation in the nuclear materials area. For example, in the NRC-regulated states, if the implementation of alarming rate meters (under current 10 CFR 34 requirements) is shown to result in fewer radiographer over-exposure events, that finding may reduce the value of, and thus eliminate the need for, the proposed two-man rule and certification provisions in the proposed Part 34 revision under consideration.

The Committee agreed that the selected nuclear materials areas proposed by NMSS are appropriate topics for CRGR review, on a trial basis. The CRGR Charter revision, now under preparation, will be modified to reflect this proposed change in CRGR review scope. After a trial period of about one year, the Committee will examine the experience from CRGR reviews of nuclear materials items. Specifically, the Committee will assess the value added by CRGR reviews, and based on that assessment will make appropriate recommendations to the EDO regarding whether or not the Committee should continue review of nuclear materials items. The Committee's assessment of whether or not the items that were identified by the staff for CRGR review actually warranted CRGR attention and, if so, whether there was significant value added by the Committee's review, will be included in the CRGR meeting minutes during the trial period, and will also be reported to the EDO in the CRGR Weekly Items of Interest to be reported to the Commission.