

January 29, 1999

MEMORANDUM William D. Travers
TO: Executive Director for Operations
FROM: Annette Vietti-Cook, Secretary /s/
SUBJECT: STAFF REQUIREMENTS - SECY-98-278 - PROPOSED RULE - "CHANGES TO REQUIREMENTS FOR ENVIRONMENTAL REVIEW FOR RENEWAL OF NUCLEAR POWER PLANT OPERATING LICENSES (10 CFR PART 51)"

The Commission has approved for publication in the Federal Register the proposed amendments to 10 CFR Part 51 and the Notice of Availability of NUREG-1437, Addendum 1 subject to the attached editorial corrections and clarifications.

(EDO)

(SECY Suspend: 3/1/99)

cc: Chairman Jackson
Commissioner Dicus
Commissioner Diaz
Commissioner McGaffigan
Commissioner Merrifield
OGC
CIO
CFO
OCA
OIG
OPA
Office Directors, Regions, ACRS, ACNW, ASLBP (via E-Mail)
PDR
DCS

Clarifications and Editorial Changes to the Attachments to SECY-98-278

1. The proposed rule states, in part:
(M) The environmental impacts presented in Summary Table S-4 of 51.52 may be adopted in individual power plant license renewal reviews as long as the candidate site at Yucca Mountain is under consideration for licensing.....

This could be interpreted that if additional sites are considered in the future, licensees can adopt the environmental impacts presented in S-4, as long as Yucca Mountain is under consideration. The staff should reword the proposed rule to ensure it is clear that a review, similar to that for Yucca Mountain, would need to be performed for any future site(s) under consideration. In addition, this issue should be clarified in the Background and Discussion sections of the Federal Register notices.

In addition, the quoted sentence in subsection (M) would appear to preclude reliance on any of the environmental impacts presented in Table S-4 if Yucca Mountain is no longer under consideration for licensing. That obviously is not the intent of this Subsection. The first sentence in Subsection (M) should be replaced with the following:

The environmental impacts presented in Table S-4 of section 51.52 may be adopted in individual nuclear power plant renewal reviews. In addition, the cumulative impacts of shipments to a single repository must be addressed. To do so, the conclusions regarding the cumulative impacts of transporting high-level waste to a single repository in Appendix B to subpart A of this part may be adopted as long as Yucca Mountain is under consideration for licensing.

2. On page 8, last line correct to read "...higher exposure estimate s..";
3. On page 9, 1st sentence of 1st full paragraph, correct spelling of "...Si evert..";

4. On page 10, 1st line, correct spelling of " ..occur ring terrest rial .."
5. On page 18, Section 51.53, should be "Post -construction...."
6. On page 3 of NUREG-1437, Addendum 1, line 11 of second column, correct to read "..(person-~~m~~Sv [person-rem]).."
7. On page 6 of the NUREG, revise second full paragraph to read "The expected population doses estimated by the staff (see Appendix) are displayed in Table 1. Table 2 shows the health risks implied by the doses listed in Table 1. **It is important to note that LRFC figures represent cumulative health risks or more simply put, the total potential fatalities within the Clark County population over the period of shipment of spent nuclear fuel which assumes that all currently operating reactors renew their licenses for 20 years.** An examination ...;
8. On page 6 of the NUREG, third paragraph, second and third sentences correct to read "...this lifetime incidence of fatal cancer would correspond to about **900** LRFC/year. In thenaturally occur ring terrestrial..."
9. On page 7 of the NUREG, Table 2, footnote b, last sentence correct spelling of "fat **al**";
10. On page 8 of the NUREG, third sentence of last full paragraph needs a space between "fatality" and "from";
11. Revise 1st sentence of press release to read "The **U.S.** Nuclear Regulatory Commission (~~NRC~~) is..."; and
12. Revise 1st sentence in letters Congress to read "In the near future, the **U.S.** Nuclear Regulatory Commission (~~NRC~~) intends..."