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PROPOSED RULE **PR 72**  
(65FR38794)

Mr. David L. Meyer, Chief  
Rules and Directives Branch  
Division of Administrative Services  
Office of Administration  
Mail Stop T-6 D59  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555

Subject: Comments on Proposed Amendment 10CFR 72.214  
Transnuclear-West, Inc; Certificate of Compliance  
1004, Amendment 2  
65FR38794, dated June 22, 2000

Dear Mr. Meyer:

Duke Energy offers the attached comments relative to the solicitation for public comments regarding the proposed amendment to 10CFR 72.214 regarding Transnuclear-West Certificate of Compliance 1004, Amendment 2.

Please address any questions to Jeff Thomas at (704) 382-5826.

Thank you for the opportunity to provide these comments.

Very truly yours,

M. S. Tuckman

Template = SECY-067

SECY-02

**10CFR 72.214**  
**Certificate of Compliance 1004, Amendment 2**  
**Duke Comments**

Duke Power Company supports the proposed amendment to 10CFR 72.214 regarding Transnuclear-West Certificate of Compliance 1004, Amendment 2.

The new fuel qualification table eliminates need for each cask user to perform its own decay heat and dose rate calculations. The fuel qualification process is simplified for the utilities and high quality calculations have been ensured by NRC review. Additionally, the new fuel qualification table permits storage of fuel with burnups up to 45 GWD/MTU with appropriately lengthened cooling periods. This ensures safety and health of the public with respect to offsite exposures and better fits current reactor core designs.

The only viable alternative to storing Burnable Poison Rod Assemblies in the dry storage canister is to dispose of them as Low Level Waste. The Burnable Poison Rod Assemblies would need to be segmented, compacted, and placed in separate disposal containers for shipment to a Low Level Waste facility. Such operations would result in additional radiological exposure to the involved workers, are an ineffective use of waste burial space (two containers verses one container), and would be prohibitively expensive.