

February 13, 2001

ORGANIZATION: Nuclear Energy Institute

SUBJECT: SUMMARY OF PUBLIC MEETING WITH THE NUCLEAR ENERGY
INSTITUTE (NEI) AND THE PUBLIC REGARDING POWER REACTOR
DECOMMISSIONING RULEMAKING ISSUES

On February 6, 2001, U.S. Nuclear Regulatory Commission (NRC) staff met with representatives of NEI and members of the public to discuss recent information provided to the NRC by NEI in a letter dated January 10, 2001 (available in ADAMS; ML010110343). The information related to the NRC's Technical Study on Spent Fuel Pool Accident Risk at Decommissioning Power Plants. The NEI letter contained an evaluation of a proposed accident progression and ruthenium release scenario for postulated spent fuel pool events. The meeting agenda is provided as Enclosure 1. A list of attendees is provided as Enclosure 2.

NRC began the meeting by providing a brief history of the Technical Study on Spent Fuel Pool Accident Risk at Decommissioning Power Plants. The project began in 1999 and the study was published twice for public comment. The latest version of the study was released to the public on January 17, 2001 (available in ADAMS; Report ML010160527, Appendices ML010160532).

Next, NEI discussed an overview of its January 10, 2001, letter and its implications on the risk study (NEI handout available in ADAMS; ML010380023). NEI presented its conclusions regarding the risk study, which included: (1) ruthenium release consequences were overstated, (2) design differences between boiling water reactor and pressurized water reactor fuel designs were not adequately represented (e.g., zirconium amounts in fuel cladding), and (3) experimental information related to the possible damage resulting from postulated cask drop events was not referenced and used. NEI made the following recommendations concerning the risk study: (1) complete the report prior to applying results (addressing in part the items discussed above), (2) conduct a formal peer review of the risk study, and (3) apply the risk study to a test case regulation (e.g., maintenance rule).

NRC acknowledged that uncertainties of given parameters in the report could be fine tuned by further studies. However, the NRC noted that the work done characterized the risk as below the Commission's safety goals; therefore, further work was not warranted.

NEI and members of the public were given an opportunity to ask questions and make comments. Mr. David Lochbaum and Mr. Peter J. Atherton made comments related to the risk study and the associated planned rulemaking activities. Mr. Lochbaum's comments were related to the industry commitments included in the study, physical security, and a recommendation to regulate the spent nuclear fuel at decommissioning power reactors under the provisions of Title 10, Part 72, of the Code of Federal Regulations, applicable to independent spent fuel storage installations. Mr. Atherton's comments were associated with

the use of probabilistic risk assessments and the seismic checklist in the risk study. Following discussions regarding the comments, the meeting was concluded.

/RA/

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Office of Nuclear Reactor Regulation

Project No. 689

Enclosures: 1. Agenda
2. Attendees

cc w/encls: See next page

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ACCESSION NOs.: Notice: ML010250423

PKG: ML010250437

Summary: ML010440106

NRC-001

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| OFFICE | PDIV-D/PM | PDIV-D/LA | DSSA* | PDIV-D/SC |
|--------|-----------|-------------|----------|-----------|
| NAME | DWrona | MMcAllister | TCollins | MMasnik |
| DATE | 02/12/01 | 02/12/01 | 02/09/01 | 02/12/01 |

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NEI/Public Meeting on Decommissioning Rulemaking

February 6, 2001

Purpose: To discuss recent information that may affect the NRC's Technical Study on Spent Fuel Pool Accident Risk at Decommissioning Power Plants contained in an evaluation of a proposed accident progression and ruthenium release scenario which was provided to the NRC by the Nuclear Energy Institute in a report dated January 10, 2001 (available in ADAMS; ML010110343)

Outcome: Industry will present its view on the above topic to the NRC and public stakeholders will provide their comments or questions

Process:

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| 1. Introductions and review of purpose/agenda (NRC) | 15 min |
| 2. Overview of the 1/10 letter on the spent fuel pool risk study (NEI) | 30 min |
| 3. Implications of 1/10 letter on the spent fuel pool risk study (NEI) | 30 min |
| 4. NRC/public stakeholder comments/questions | 30 min |
| 5. Closing remarks, summary of commitments / Adjourn | 15 min |

DECOMMISSIONING RULEMAKING MEETING

February 6, 2001

NRC Headquarters

Rockville, MD

ATTENDEES

| <u>NAME</u> | <u>ORGANIZATION</u> |
|----------------------|-------------------------------|
| Brian Sheron | NRC/NRR |
| Gary Holahan | NRC/NRR/DSSA |
| Tim Collins | NRC/NRR/DSSA |
| Stuart Richards | NRC/NRR/DLPM |
| George Hubbard | NRC/NRR/DSSA |
| Richard Dudley | NRC/NRR/DLPM |
| Bill Huffman | NRC/NRR/DLPM |
| Dave Wrona | NRC/NRR/DLPM |
| Noel Dudley | NRC/NRR/IOLB |
| Joseph Staudenmeier | NRC/NRR/SRXB |
| George Mencinsky | NRC/NRR |
| Diane Jackson | NRC/NRR/SPLB |
| Ralph Caruso | NRC/NRR/SRXB |
| Glenn Kelly | NRC/NRR |
| Cindi Carpenter | NRC/NRR |
| Med El-Zeftawy | NRC/ACRS |
| Stephen H. Lewis | NRC/OGC |
| Joe Shea | NRC/OEDO |
| Charles Tinkler | NRC/RES |
| Jason Schaperow | NRC/RES |
| Farouk Eltawila | NRC/RES/DSARE |
| David Diec | NRC |
| O. C. Payne | FEMA |
| Michael Callahan | GSI |
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| Jenny Weil | McGraw-Hill |
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| Deann Raleigh | LIS, Scientech |
| Roger Huston | Licensing Support Services |
| Dave Lochbaum | Union of Concerned Scientists |
| Peter J. Atherton | Nuc Saf Consul - Public |
| Lynette Hendricks | NEI |
| Alan Nelson | NEI |
| Paul H. Genoa | NEI |
| Mike Meisner | MYAPC |
| A. Scott Dam | BNFL |
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| Bob Henry | FAI |
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