

From: "Brian Gutherman" <cstassociates@comcast.net>
To: "Meraj Rahimi" <MXR2@nrc.gov>
Date: 2/15/06 6:56PM
Subject: RE: Issues to be added to the list

Attached is the updated issues matrix. I think I made all the changes we discussed. I left the priority blank for the 2 new items because industry has not weighed in on it yet.

-----Original Message-----

From: Meraj Rahimi [mailto:MXR2@nrc.gov]
Sent: Tuesday, February 14, 2006 7:51 AM
To: cstassociates@comcast.net
Cc: Michelle DeBose
Subject: Issues to be added to the list

Brian,

Below are two issues to be included in the Issue List.

Michelle, please place this e-mail in ADAM with " Additional Issues for DSTF" title and DSTF term as the key search.

ISSUE NO. 31

PRIORITY H

STATUS Open

ISSUE DESCRIPTION The staff would like to engage industry on how to treat neutron absorber material process controls (how the material is manufactured and tested) in dry storage cask applications. In recent applications these process controls have been captured in technical specifications.

REMARKS The staff is considering generic guidance in this area. The staff would like to engage industry on whether neutron absorber material process control guidance should be developed, and if it is to be developed, how that guidance should be captured.

ISSUE NO. 32

PRIORITY H

STATUS Open

ISSUE DESCRIPTION The staff is considering revising ISG-18 to capture lessons learned from recent reviews and to make the guidance more clear.

ACTION -The staff is targeting issuing a draft of the revised guidance in the Winter of 2006. (This date is subject to change based on staff priorities.)

thanks,

Meraj Rahimi
Senior Project Manager
U.S. Nuclear Regulatory Commission
Spent Fuel Project Office
Spent Fuel Licensing Section
Tel. 301-415-2947
Fax 301-415-8555
Email MXR2@NRC.GOV

10 CFR 71/72 DSTF ISSUES MATRIX

ISSUE NO.	PRIORITY	STATUS	ISSUE DESCRIPTION	REMARKS	ACTION	DSTF LEAD
I	H	Open	Criticality Control (RIS 2005-05): Part 50 and Part 72 requirements apply during cask loading in pool. Requirements overlap and NRC (NRR and SFPO) burnup credit methods are not consistent. NRC requesting LARs from all affected plants as interim compliance measure.	Meeting held 11/10/05 between NRC and industry. Industry requested NRC to re-look at interim solutions involving no TS or enforcement discretion.	LAR or 50.68 exemptions on plant-specific basis. Long term action to develop consistent BUC credit method across Part 50 and 72. Rule change may also be required.	Gutherman
1a	M	Open	Criticality Accident Requirements: §72.124(c): Regulations provide exemptions from monitoring when fuel is under water and in "storage configuration" During cask preparation (out of pool but before in "storage configuration"), no exemption applies and monitoring is required.	Appears rule change is necessary to clarify. See NRC letter to Holtec dated 8/1/00 for additional information.	NRC to evaluate and provide feedback on whether guidance or rule change is necessary.	Gutherman
2	H	Open	Burnup Credit: ISG-8 does not allow fission product credit, making BUC methodology limited. SFPO method is different than NRR. Except for geometry, methods should be the same.	Acquire and evaluate French data to expand ISG-8 guidance. In parallel, evaluate Part 50 and SFPO criticality analysis and BUC methods and assumptions for differences. Resolve differences and recommend single criticality/BUC analysis method. (EPRI input)	Revise ISG-8.	

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ISSUE NO.	PRIORITY	STATUS	ISSUE DESCRIPTION	REMARKS	ACTION	DSTF LEAD
2a	H	Open	Burnup Measurements: ISG-8 recommends measuring burnup on a sampling basis to increase confidence in reactor records. Industry does not believe this is necessary.	Evaluate safety benefit of BU measurements and recommend guidance change, as appropriate (EPRI input)	Continue discussion and determine industry path of action.	
3	H	Open	Damaged Fuel: Definition in ISG-1, Rev. 1 is very broad and difficult to implement. Need a definition generated with industry participation before implementation. RG may be more appropriate than ISG. Need to ensure fuel previously loaded as intact for storage can be transported without re-packaging.	Determine damaged fuel criteria for storage and transportation. Issue RG or add as defined term in the rules. CoCs will need to be revised to reflect new guidance and/or rule. (EPRI input)	Revise ISG-1	
4	H	Open	Control of Cask Licensing Basis: a) backfit of changes to ongoing TS (cask surveillance) to previously deployed casks. b) Backward and forward compatibility of hardware. c) Removal of information from SAR/CoC that applies to previously deployed casks and/or site-specific licensee who incorporated the information by reference.	Licensees, CoC holders, and NRC may have different views on these issues. Need mutually agreeable position.	DSTF internal. FAQ issue	Sides
5	M	Open	Regulatory Process: Certain issues are being addressed outside of recognized regulatory processes and should be addressed in a more structured process, such as a Regulatory Guide, rulemaking, or other formal generic communication (i.e., GL), to allow front-end industry participation and independent backfit evaluation by NRC (CRGR). Examples: ISGs, cask Technical Specifications, RIS 2005-05, fuel-air issue.	Process feedback issue in 2/8/05 workshop. Work with NRC as topics arise to determine appropriate process to use.	Discuss between NEI and NRC senior management	Gutherman

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ISSUE NO.	PRIORITY	STATUS	ISSUE DESCRIPTION	REMARKS	ACTION	DSTF LEAD
6	M	Closed	CoC Noncompliance: What process governs if licensee discovers noncompliance with CoC after cask is in storage? There is no NOED process in Part 72.	GL 91-18 (or successor) can be used for degraded conditions not involving noncompliance with CoC. May need NOED process for CoC noncompliance.	None. Use plant corrective action program. NOED process not needed.	
7	L	Open	Moderator Exclusion: 71.55(b) does not permit moderator exclusion by design for normal conditions outside of limited exceptions (i.e., entire cask designs cannot be excepted from moderator intrusion). Regulations (per ISG-19) permit moderator exclusion for accident conditions. Seems contradictory. See EPRI Report 1011815.	Work with NRC on regulatory issues associated with a rule change. Rule change may have broad (i.e., YM EIS) implications (EPRI input)	Continue discussion to determine path forward.	Gutherman
8	M	Open	High Burnup Fuel: ISG-11, Rev 3 does not provide guidance for transportation of HBU fuel.	Tracking item. Determine criteria for review of transport requirements for high burnup fuel. (EPRI input)	Revise ISG-11	
9	L	Open	Cask Technical Specifications (NUREG-1745): Level of detail in cask TS and CoCs (e.g., fuel parameters) is not commensurate with risk. Fuel parameter change process in NUREG-1745 is not consistent with regulations.	Work with NRC to make risk-based rule change to TS inclusion criteria and revise NUREG-1745. Need cask loading PRA issued.	NRC consider revising Part 72 to develop TS criteria similar to Part 50.	
10	M	Open	Risk Informed regulations and review guidance: Cask loading PRA needs to be issued.	Tracking item.	NRC finish the PRA.	N/A

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ISSUE NO.	PRIORITY	STATUS	ISSUE DESCRIPTION	REMARKS	ACTION	DSTF LEAD
11	L	Closed	Part 71 QA Program (RIS 2004-18): Some Part 50 licensees who use Part 71-certified packages under a previously approved QA program (i.e., their Appendix B program) are required to have their Part 50 QA programs separately approved under Part 71. NRC issues a Form 311 indicating their approval under Part 71. The Part 50 QA program can be modified by the licensee under 10 CFR 50.54 without prior NRC approval provided the commitments in the program are not reduced. There is no such provision in Part 71 and renewal is required every 5 (now 10) years. These rules appear to conflict.	Work with NRC to clarify whether a Form 311 for Part 50 licensees to use a previously approved program under Part 71 is necessary. If so, how do QA program changes get implemented, given the authority of 50.54?	None. NRC working.	
12	L	Open	72.48 Guidance: Based on experience since 4/01, NEI guidance on malfunctions, consequences, and methods of evaluation may need updating and more customizing for casks. For example, casks do not typically have single failure criteria requirements and often accidents have no offsite dose consequences.	Based on lessons learned, issue FAQs to clarify implementation of 72.48.	DSTF internal. FAQ issue.	
13	L	Open	Licensee 72.48 Processing: a) What are GL obligations (i.e., timing, actions) for processing CoC holder 72.48s? b) What's required if GL does not adopt? c) What is effective date for CoC holder-issued 72.48s on GLs (e.g., operating changes)? d) What is CoC holder 72.48 deletes or modifies information incorporated by reference by an SL and SL does not want to change?	FAQs and/or other communication vehicle to establish industry consensus.	DSTF internal. FAQ issue.	Sides

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14	M	Open	Computational Modeling Software (ISG-21): Proposed ISG defines information to be submitted for cask licensing to permit NRC to review use of computer modeling software.	Industry believes the ISG over-reaches into QA and is not necessary. Comment letter sent to NRC 8/11/05	NRC evaluating comments and will issue ISG.	
15	M	Closed	Retrievability: NRC was thought to be developing an ISG on this issue.	ISG-2 will not be revised	None	
16	New	Closed	Amendment Applications: There are a variety of difference formats for amendment applications (i.e., with or without SAR markups). Should industry develop guidance?	Is there a consensus for developing a standard template for amendment requests?	None. Each CoC holder has a process.	
17	L	Open	SRP Updates: NRC needs to update SRPs to incorporate ISGs.	Tracking item.	NRC action.	Gutherman
18	L	Open	Reg Guide Updates: NRC needs to update RGs 3.48, 3.61 and 3.62 to match SRP format.	Tracking item.	No current plans to update these RGs.	Gutherman
19	New	Closed	Review Schedules: Include front and back end activities in total review schedule.	NRC has provided some information. Emailed info to DSTF 2/15/05.	Complete	
20	L	Closed	Part 72 License Renewal: Modify rule to extend license renewal period beyond 20 years.	SECY 04-0175	NRC working. Industry to comment on proposed rule	
21	New	Closed	Use of RG 1.91 for ISFSI Licensing: The 1 psig overpressure value for missiles may not be appropriate for use in ISFSI licensing.	Revise guidance specific for ISFSI licensing	None. Industry does not believe this is a generic concern.	

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ISSUE NO.	PRIORITY	STATUS	ISSUE DESCRIPTION	REMARKS	ACTION	DSTF LEAD
22	L	Open	CoC Amendments: Rulemaking is required for all Part 72 CoC amendments. This is an unnecessarily burdensome process. Results in exemptions as a normal licensing process.	NWPA uses term "by rule" for cask amendments	DSTF internal. Industry to consider possible approaches given previous denial.	Gutherman
23	L	Closed	GSI-196, BORAL Degradation: NRC recently identified BORAL blistering as a generic safety issue. What effects, if any, does the blistering have on the design function of the BORAL?	Tracking item. NRC Research is gathering data at this point. Support, with EPRI as necessary.	None. Re-open as necessary per results of GSI research.	NA
24	H	Open	Fuel Cladding Integrity Analysis: Cask designers have not historically analyzed fuel cladding integrity. Fuel material data is limited. Guidance in ISG-12 only addresses buckling.	Broaden licensing guidance in SRP.	Revise ISG-12	
25	L	Open	DOE Standardized Canister: DOE proposes to use a standard Transportation, Aging, and Disposal (TAD) fuel canister that will be compatible with the waste package at YM.	Tracking item. Establish industry policy and work with DOE/NRC to integrate with Part 71/72.	None.	Gutherman
26	L	Open	10CFR72.13: Some sections may not be appropriately listed.	Review and make suggestions to NRC for rule change	Industry to consider petition.	Sides
27	M	Open	Tornado Missiles: How do general licensees compare site-specific missiles against generic missiles? By spectrum or missile by missile comparison?	Develop industry consensus.	DSTF internal. FAQ issue	
28	H	Open	Fuel-in-Air: ISG-22 addresses air coming into contact with fuel and potential fuel rod splitting due to oxidation.	NRC issued draft ISG-22 11/15/05. Industry comments submitted 12/29/05. DOE also submitted comments.	Address comments and issue ISG. Technical meeting?	

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ISSUE NO.	PRIORITY	STATUS	ISSUE DESCRIPTION	REMARKS	ACTION	DSTF LEAD
29	Low	Open	RIS 2005-31, Security Sensitive Information: SFPO would like industry's input on developing procedures for the treatment of sensitive information in incoming documents.		RIS 2005-31 under review in licensees' OE programs.	
30	Low	Open	Correcting CoC Errors: SFPO is considering how to correct errors in an existing CoC.		NRC to engage stakeholders.	
31	Medium	Open	Repetitive RAIs: Similar RAIs issued by staff on applications submitted by different licensees or vendors.		NRC to follow up	
32	Low	Closed	NRC's plan and schedule for casework: Industry provide "look-ahead" schedule for application submittals. NRC would provide timeliness goals and general scheduling criteria available to public.	See RIS 2005-27.	Industry had no comments	
33		Open	Neutron absorber material: The staff would like to engage industry on how to treat neutron absorber material process controls (how the material is manufactured and tested) in dry storage cask applications. In recent applications these process controls have been captured in technical specifications.	The staff is considering generic guidance in this area. The staff would like to engage industry on whether neutron absorber material process control guidance should be developed, and if it is to be developed, how that guidance should be captured. Need priority. NRC believes it is "high."		

10 CFR 71/72 DSTF ISSUES MATRIX

ISSUE NO.	PRIORITY	STATUS	ISSUE DESCRIPTION	REMARKS	ACTION	DSTF LEAD
34		Open	Canister leakage testing (ISG-18): The NRC staff is considering revising ISG-18 to capture lessons learned from recent reviews and to make the guidance more clear.	The NRC staff is targeting issuing a draft of the revised guidance in the Winter of 2006. (This date is subject to change based on staff priorities.)	Industry will comment on the draft ISG revision when issued. Need priority. NRC believes it is "high."	