

May 1, 2013

MEMORANDUM TO: Anthony Hsia, Deputy Director
Division of Spent Fuel Storage and Transportation
Office of Nuclear Material Safety
and Safeguards

FROM: John Goshen, P.E., Project Manager /RA/
Licensing Branch
Division of Spent Fuel Storage and Transportation
Office of Nuclear Material Safety
and Safeguards

SUBJECT: SUMMARY OF MARCH 28, 2013, MEETING WITH STAKEHOLDERS
TO SOLICIT INPUT ON PROPOSALS TO IMPROVE
ADMINISTRATION OF TITLE 10 OF THE *CODE OF FEDERAL
REGULATIONS* PART 72 CERTIFICATE OF COMPLIANCES AND
AMENDMENTS (TAC NO. LA0460)

Background. On March 28, 2013, a Category II meeting was held in Rockville, Maryland between representatives from the Nuclear Energy Institute, dry cask storage licensee and certificate holders, and the Nuclear Regulatory Commission (NRC) staff (staff) to discuss and solicit input on NRC proposals to improve administration of Title 10 of the *Code of Federal Regulations* (10 CFR) Part 72 certificates of compliance (CoC) and amendments. The public was provided the opportunity to ask questions and provide comments during specific portions of the meeting. Regulatory decisions were neither requested nor made at the meeting. The list of meeting attendees is Enclosure 1. A detailed agenda of the meeting is Enclosure 2, and the presentation slides are provided as Enclosure 3.

Discussion. The discussion followed the agenda provided in Enclosure 2. The discussion was based on proposals provided in Enclosure 3. As identified in Licensing Program Improvement Issue 3, there formerly existed no process to make either substantive or non-substantive changes to approved CoCs or their amendments identified in 10 CFR 72.214. Two proposals for making changes to existing CoCs and amendments within the current 10 CFR Part 72 regulatory framework were presented. The first process presented is intended to make non-substantive corrections to CoCs and amendments and will be called a "correction" process. These types of changes are intended to be primarily editorial and administrative corrections that do not change the basis or regulatory evaluation of the CoC or amendment. The staff provided an example of an amendment "correction" that had recently been completed HI-STORM 100, Amendment No. 8, as corrected on November 16, 2012 (ADAMS Accession No. ML12213A170). The second process is a "revision" process that is intended to make substantive corrections to existing CoCs and amendments. Examples of these types of changes are corrections to technical specification (TS) requirements, changes to design or fabrication details that cannot be accomplished via the 10 CFR 72.48 process, corrections to analyses, and other changes that are required but are not a high enough safety significance to require the NRC to issue an order.

Questions from external NRC stakeholders concerning some of the details of the proposals were raised and addressed by the staff. Several questions concerning back-fitting implications were also raised and addressed by the staff. The staff requested that stakeholders provide comments on potential unintended consequences of implementing these two proposals to the NRC by phone or by the form provided in Enclosure 3 as soon as possible and preferably by April 30, 2013.

TAC No.: LA0460

Enclosures: 1. Attendees
 2. Agenda
 3. NRC Presentation Slides

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Distribution: Attendees: w/Enclosures by email

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ADAMS P8 Accession No.: ML13121A279

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Meeting on obtaining stakeholder input on identifying enhancements to the
administration of 10 CFR Part 72 Certificates of Compliance
and their associated Amendments

March 28, 2013

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Anthony Hsia	NRC	NRC email
Eric Benner	NRC	NRC email
Bernie White	NRC	NRC email
John Goshen	NRC	NRC email
Kristina Banovac	NRC	NRC email
David Tang	NRC	NRC email
Michele Sampson	NRC	NRC email
Neil Day	NRC	NRC email
Steve Ruffin	NRC	NRC email
Zhian Li	NRC	NRC email
Pamela Longmire	NRC	NRC email
James Danna	NRC	NRC email
Stephen Hammann	NRC	NRC email
Marc Ferdas	NRC	NRC email
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MEETING AGENDA

Meeting on obtaining stakeholder input on identifying enhancements to the
administration of 10 CFR Part 72 Certificates of Compliance
and their associated Amendments

March 28, 2013
9:30 a.m. – 12:30 p.m. (Eastern Daylight Time)
Executive Boulevard Building, Room 1B13

- Ground Rules, Facility Information, Security, Agenda
- Welcoming Remarks
- Review current administration and implementation of Certificates of Compliance (CoCs) and specific problems
- Recommendations to Improve the Administration of Storage CoCs and Amendments to CoCs
- Assign persons to a working committee to streamline the review of critical proposals
- Public questions and comments
- Closing Remarks

NRC Presentation Slides