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Docket: NRC-2012-0246

Consideration of Environmental Impacts on Temporary Storage of Spent Fuel After Cessation of Reactor Operation

Comment On: NRC-2012-0246-0456

Waste Confidence - Continued Storage of Spent Nuclear Fuel; Extension of Comment Period

Document: NRC-2012-0246-DRAFT-1215

Comment on FR Doc # 2013-26726

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General Comment

See attached file(s)

Attachments

Waste Confidence

December 20, 2013

Secretary
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001
ATTN: Rulemaking and Adjudications Staff

Comments on “Waste Confidence-Continued Storage of Spent Nuclear Fuel” Proposed Rule, 78 Fed. Reg. 56,776 and “Draft Waste Generic Environment Impact Statement” 78 Fed. Reg. 56,621, dated September 13, 2013; Docket ID NRC-2012-0246

AREVA Inc. (herein denoted as AREVA) appreciates the opportunity to provide comments on the proposed Waste Confidence rule and draft Generic Environment Impact Statement (GEIS) published in the *Federal Register* on September 13, 2013. AREVA commends the Commission for assigning a high priority to completing the Waste Confidence review and encourages the Commission and U.S. Nuclear Regulatory Commission (NRC) staff to take serious consideration of the following comments.

AREVA is in agreement with and endorses the comments submitted by the Nuclear Energy Institute (NEI). Nuclear energy is a vital part of our clean energy portfolio in the United States. According to a current public survey conducted by Quest Global Research, a majority of the public favor nuclear power, making the Waste Confidence rulemaking an imperative issue for the nation to address. In addition, the proposed rule and draft GEIS are significant to AREVA and the entire nuclear industry because the NRC’s final rule on Waste Confidence supports both the licensing of new builds and renewed licensing of the existing fleet. At AREVA, safety is our highest priority. Additionally, AREVA’s and the industry’s commitment to safe operations and operational excellence drives far beyond compliance with NRC regulations. Consistently the industry has demonstrated a level of performance that not only meets, but exceeds regulatory requirements by a significant margin.

Dry cast storage systems are manufactured by several competitive vendors in the United States, including AREVA. The competition in the market fosters a cycle of innovation and development, which continues to drive technological progress for evolving systems with increased safety margins. The statement “improvement based on research and operating experience, and licensee compliance with regulatory requirements is important to the continued safe storage of spent nuclear fuel” (78 Fed. Reg. 56,788) represents a substantial underrepresentation of the basis and market for continued safe spent fuel storage options available today. AREVA requests that the staff augment this statement to better reflect and represent the existing competitive market for spent fuel storage.

AREVA endorses revising the names of the proposed rule and draft GEIS and to discontinue the “Waste Confidence” and “Temporary storage of spent fuel after cessation of reactor operation-generic determination of no significant environmental impact” terms to a more effective title that defines the contents of the rule and GEIS in general words. Moreover, “Waste Confidence” is a historic artifact that does not stand alone without a technical explanation of how the title originated. The names fail to clearly convey the intent of the proposed rule, which details the safe storage of spent fuel after the end of a reactor’s operating life. AREVA supports the following NEI suggestions of new titles for the proposed rule and draft GEIS: “Storage of Spent Nuclear Fuel after Licensed Term of Operation” and “Generic Environmental Impact Statement for the Storage of Spent Nuclear Fuel after Licensed Term of Operation.” These suggested titles, or similar revisions, would better state the purpose of the rule and GEIS.

AREVA agrees with the NRC conclusion that a moratorium on reactor and Independent Spent Fuel Storage Installation (ISFSI) licenses is not a reasonable or equitable alternative to the proposed rulemaking. A “no licensing” approach would not successfully achieve the intent of the proposed rulemaking, which is to catalogue the NRC’s conclusion of the environmental impacts of continued safe storage of nuclear fuel. In addition, as NEI has indicated, a licensing moratorium is not legally required by the National Environment Policy Act (NEPA) or the Atomic Energy Act (AEA). AREVA agrees that a licensing cessation is not a permanent solution. Such an act would be detrimental to the economic infrastructure of the industry, would not achieve the goals set forth by the proposed rulemaking, and is not legally bound by NEPA or the AEA.

AREVA is committed to safety as our highest priority. We appreciate the staff’s attention and consideration in reviewing these comments. If you have any questions related to these comments, please contact Mr. Devin A. Kelley, Product Licensing Engineer for Regulatory Affairs. He may be reached by telephone at (434)832-4733, or by email at Devin.Kelley@areva.com