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Comment On: NRC-2012-0246-0361
Waste Confidence - Continued Storage of Spent Nuclear Fuel

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Comment on FR Doc # 2013-21708

Submitter Information

Name: G Corrino

General Comment

See attached file(s)

Attachments

Comments 78 FR 56776

20 December 2013

Subject: Comments on Waste Confidence Proposed Rule (78 FR 56776) and draft GEIS NUREG-2157 (Docket No. NRC-2012-0246)

Dear Acting Secretary Hart:

As a member of the public, I wish to support the NRC's proposed rule revising Part 51 provisions dealing with waste confidence and the supporting generic EIS. I wish also to provide the following comments.

A. In the revision to Table B-1 (in Appendix B to Subpart A), middle paragraph, the NRC's proposed language specified "a dose limit of 15 millirem (0.15 mSv)per year for the first 10,000 years and 100 millirem (1.0 mSv) per year between 10,000 years and 1 million years". While I have no objection to these values, they are not presented in a manner consistent with the Commission's Policy statement on conversion to the metric system (see 61 FR 31169; 19 Jun 1996). In the third paragraph of this statement of metric policy, the Commission stated that "In dual unit documents, the first unit presented will be in the International System of Units with the English units shown [thereafter] in brackets." This standard was not met in the proposed rule text. Consequently, these dose limits should be changed to "0.15 mSv [15 millirem]" and "1.0 mSv [100 millirem]".

B. For Additional Issue 1, I do not support the inclusion of timelines on the availability of a future geologic repository in the final rule. The history of the development of a permanent repository, since the passing of the NWPA, is replete with missed timelines. No guarantee is available that future performance in developing, licensing, and constructing a repository will be any better. Therefore, to simplify the final rule, I would remove language dealing with repository timelines. However, I would retain any statements providing a duration on how long spent fuel can be safely stored, especially in dry storage systems (casks).

C. For Additional Issue 2, I support inclusion of policy statements within the rule text. Purpose, scope, and objective language is found in many other places in 10 CFR Chapter 1. Its inclusion here would be consistent with the Commission's openness and transparency goals.

D. For Additional Issue 3, I support inclusion of additional details within the final rule FRN's preamble. The FRN is more readily available and searchable to the public, than is an NRC NUREG GEIS. Therefore, it will be more helpful to future users to have this critical information in searchable location.

E. For Additional Issue 4, I support revising the title of the final rule.

F. For the draft GEIS, I have the following comments:

    a. In Section 4.19.1, paragraph 1, the NRC takes credit during potential attacks on spent fuel pools for the presence of emergency procedures and "Severe Accident Mitigation Alternatives guidelines" in mitigating the potential consequences of terrorist attacks

(see page 4-85, lines 20-23). While operating reactors have these procedures and guidelines and can apply them to an attack against the spent fuel pool, reactors that are permanently shutdown often scale back their EP programs and are granted exemptions to NRC requriements. Therefore, it is not clear that this GEIS statement applies to all power reactor spent fuel pools. Additionally, for the sole wet pool ISFSI licensed under Part 72, these types of procedures and guidelines would not be required by Part 72. Accordingly, the NRC should clarify in the final EIS whether these conclusions are applicable to all spent fuel pools. And if not, what are the impacts of this information.

b. In Section 4.19.2, paragraph 3, the NRC states that the potential for theft and diversion of spent fuel from an ISFSI is not credible based upon three reasons (see page 4-87, lines 26-32). However, this is limited in the DGEIS to "light water reactor spent fuel" stored in an ISFSI. But, not all ISFSIs store light water reactor spent fuel. Consequently, to be complete, the NRC should characterize in the final EIS whether the potential for theft and diversion is not credible for both light water reactor spent fuel and non-light water reactor spent fuel. If such scenarios become credible during the long term storage or indefinite storage time periods, then the NRC should also evaluate revising Table 4-2's entry for Sabotage or Terrorism to reflect potential for increased impacts.

c. In Section 4.19.2, paragraphs 6 and 7, the NRC speaks of additional security requirements being necessary as the spent fuel ages and its radiation level (i.e., the amount of self-protection) drops (see page 4-88, lines 19 – 26). However, the NRC has not addressed in Section 4.19.2 any increased security risks due to the operation of a Dry Transfer System (DTS) at the ISFSI. In Section 2.1.4 of the DGEIS, the NRC assumes the presence of a DTS to transfer fuel from one cask to another, when the cask lifetime is up in 100 years. At that point, self-protection would be greatly diminished; and potentially may not be relied upon. Secondly, a DTS may be needed much sooner to transfer spent fuel from an existing storage cask, that is not certified for transportation purposes, to a dual purpose storage and transportation cask. Thirdly, the NRC has not characterized the security hazards from a DTS due to theft and diversion in Section 4.19. Consequently, the NRC should characterize the theft and diversion risk from the use of a DTS in Section 4.19 over the range of potential times of use. Also, as noted in the above comment. This issue may affect the conclusion in parts of Table 4-2.

d. Conforming changes may also be necessary in Section 5.19; and elsewhere.