

March 3, 2017

Rodney J. McCullum,
Senior Director, Used Fuel
and Decommission Programs
Nuclear Energy Institute
1201 F Street NW, Suite 1100
Washington, DC 20004

SUBJECT: U.S. NUCLEAR REGULATORY COMMISSION RESPONSE TO INDUSTRY
SUMMARY MEETING CONDUCTED TO DISCUSS FUNDAMENTAL ISSUES
REGARDING NUCLEAR ENERGY INSTITUTE SUBMITTAL: "GUIDELINES
FOR TITLE 10 OF THE *CODE OF FEDERAL REGULATIONS* 72.48
IMPLEMENTATION," REVISION 0

Dear Mr. McCullum:

The Nuclear Regulatory Commission (NRC) staff has completed its review of the industry summary document submitted by Nuclear Energy Institute (NEI) regarding NEI 12-04, "Guidelines for 10 CFR 72.48 Implementation," Revision 0 (Agencywide Document Access Management System (ADAMS) Accession No. ML12258A356). The NRC staff issued the first Interim Response to NEI 12-04, (ADAMS Accession No. ML13260A029) dated September 26, 2013. The staff issued the 2nd Interim Response to NEI 12-04 on December 11, 2014 (ADAMS Accession No. ML14349A318). The staff issued the Final Response to NEI 12-04 on April 24, 2015 (ADAMS Accession No. ML15110A197). The staff is providing this response to the industry summary meeting conducted on March 3, 2016, and documented in a letter from NEI, dated August 8, 2016 (ADAMS Accession No. ML16251A024). The industry summary documents the fundamental and key issues discussed in the March 3, 2016, public meeting and identified in the three NRC responses to NEI 12-04. The industry summary provides a distilled compilation of staff responses that NEI considers essential for NRC and NEI to reach alignment for the path toward endorsement of NEI 12-04.

As requested, the staff has provided a written response to each of industry's 11 fundamental and key issues identified in the industry summary document. The staff agrees with most of industry's replies to the fundamental and key issues. However, the NEI reply to Issue Number 4, concerning method of evaluation (MOE) approvals, is still an area where further discussion will be needed. We have provided our comments in the attached Enclosure.

If you have any questions regarding the staff review, please contact Raynard Wharton at (301) 415-7497. I look forward to hearing from you for further discussion in reaching resolution to this guidance document.

Sincerely,

/RA/

Patricia A. Silva, Chief
Inspections and Operations Branch
Division of Spent Fuel Management
Office of Nuclear Material Safety
and Safeguards

cc: Kristopher Cummings, NEI

Enclosure:

Response to NEI Letter from McCullum to
Silva, August 8, 2016, Industry-Proposed
Resolutions to Fundamental and Key
Issues on NEI 12-04, "Guidelines for
10 CFR 72.48 Implementation," Revision 0

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cc: Kristopher Cummings, NEI

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ADAMS Package:ML17065A180/Letter:ML17065A186/Enclosure :ML17065A188

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