

DSI-6

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From: Steve McDuffie <SMM2@nrc.gov>
To: WND1.WNP2(secy)
Date: 11/22/96 8:41am
Subject: Strategic Assessment comments

I am commenting on the strategic assessment paper on high-level waste and spent fuel, providing input on both the repository and spent fuel storage programs.

Repository

I believe the Commission should pursue option 3, maintaining the existing repository program. In my opinion, the Commission should exercise restraint in trying to influence the overall direction of the repository program. The overall policy direction should be left to the Congress and the Department of Energy; NRC should keep its focus on regulating whatever facilities the Congress and DOE decide to construct. The only repository program option with which I strongly disagree is sub-option 5 of option 2. Having some experience interacting with

DOE and its contractors on the Yucca Mountain project, I believe the proposal to designate these individuals as NRC representatives, with them certifying that designs and decisions meet regulatory requirements, would prove to be a failure. There have been several cases in the history of NRC-DOE interactions where the two sides disagreed whether regulatory requirements were met, DOE vehemently argued in the affirmative, and eventually the NRC position was demonstrated correct through additional study. Employing this sub-option would be tantamount to allowing self-regulation of the repository by DOE.

Spent Fuel Storage

I believe it is appropriate for the Commission to pursue sub-option 2 of option 5. Recognizing the impact on operating reactors as spent fuel pools reach capacity, it is appropriate for the Commission to be more proactive in addressing the need for dry spent fuel storage. Several at-reactor spent fuel storage installations have been successfully licensed, so the Commission does not find that these facilities are detrimental to public health and safety. Nonetheless, some benefit may be gained by concentrating spent fuel at one or more off-reactor sites. The reactor licensees would not be distracted from our primary concern, safe reactor operation, by the need to maintain an on-site spent fuel storage facility. Furthermore, these are not health and safety concerns, but the economy of scale for spent fuel storage improves with fewer sites, and the public resistance may be reduced by siting a small number of facilities in remote areas, rather than each reactor licensee constructing an on-site facility. With the recent decision by DOE to begin accepting spent fuel in 1998, DOE is positioning itself for some form of centralized storage. Multiple, regional storage facilities seems to be a logical, equitable approach. In my opinion, the Commission should not become involved in the issue of regional equity, i.e., one versus several central sites. This is solely a public policy issue, not a health and safety issue.

I believe the public's concerns about spent fuel transport associated with centralized

storage can be allayed through an education campaign by DOE or the reactor licensees (not NRC). Such a campaign could focus on the robust cask construction and cask performance in accident scenarios.

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