



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D. C. 20555

December 6, 1978

COMM
CORR
HENDRIE

Mr. Robert S. Carter
Chief, Reactor Radiation Division
National Bureau of Standards
United States Department of Commerce
Washington, D. C. 20234

Dear Bob:

Thanks for the invitation to set a date and talk at your 1979 meeting on licensed research reactor matters.

I find it very difficult to make firm commitments that far ahead. There are just too many uncertainties in my schedule--Congressional hearings, Commission emergencies, trips, etc.--to be very sure I will be able to meet a particular date.

I suggest you pick a date and I will try hard to be there. In any event, we ought to be able to have various NRC staff there, and maybe another Commissioner if I cannot come. I suggest, by way of the "likeliest" Thursdays, Sept. 13, 20, 27--in that order--as being optimum for my being available. Or at least, as far as I can guess now. But you fix the date and let me know. I will put it on my calendar and try to be there.

Regards,

Joseph M. Hendrie

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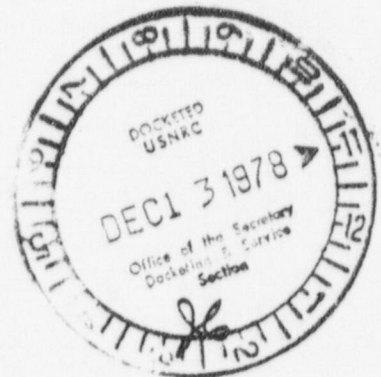
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November 29, 1978

DOCKET NUMBER
PROPOSED RULE 10 - 72(43FR46309)

Mr. Russell E. L. Stanford
Fuel Process System Standards Branch
Division of Engineering Standards
Office of Standards Development
Nuclear Regulatory Commission
Washington, D. C. 20555



Dear Mr. Stanford:

Thank you for the opportunity of commenting on the proposed spent fuel storage regulation, 10CFR Part 72. I am very much interested in fuel storage and trust that the implementation of the ISFSI concept occurs soon.

I feel you have simplified the process of licensing an ISFSI, which fills a recognized need in the industry.

Please feel free to contact me by phone (803-259-1711) on any questions you may have concerning any of the attached comments.

Sincerely,

M. Young

M. Young
Area Supervisor - FRSS
Allied-General Nuclear Services

Acknowledged by card. *OK 12/13/78*

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COMMENTS ON PROPOSED 10 CFR PART 72

Section 72.3 (S) "Structures, systems, components important to safety" as defined in 10 CFR Part 50, "are those safety related items that prevent or mitigate the consequences of postulated accidents that could cause undue risk to the health and safety of the public". It seems appropriate that definitions in Part 72 should be consistent with these used in other Federal Regulations to avoid confusion. It is recommended that the change be made.

Section 72.3 (g) and 72.3 (k) defined "controlled" and "neighboring" areas respectively. 10CFR100, paragraph 100.3 (a) defines an "exclusion" area; the definition of which is similar to the Part 72 definition of a "controlled" area. The definition of "low population zone" in 10CFR100 is similar to the definition of "neighboring" area in Part 72. The definitions of the various "areas" discussed in Part 72 should be consistent to the definition used in other parts including 10CFR20, 10CFR73 and 10CFR100 to avoid confusion and misuse of terminology.

Section 72.18 - Decommissioning plan. Including its financing. This section addresses "dismantling and disposal of an ISFSI"; it is our understanding that once the installation is decontaminated, the final disposition of the remaining structures are the purview of the owners and state and local zoning regulations. If this is the case, this info should be incorporated into this section.

Section 72.31 (a) (10) specifically states that initiation of construction by an applicant prior to a finding that the action called for, following review by the Director of the Office of Nuclear Materials Safety and Safeguards, is issuance of the proposed license may be grounds for denial of a license. In 10CFR70, paragraph 70.21 (f), the requirement is established that an application must be filed "at least 9 months prior to commencement of construction". It is recommended that a similar provision be included in 10CFR72 to allow an applicant to proceed with construction, after a suitable period has elapsed from the date an application was filed, without jeopardizing a favorable ruling on the application.

Section 72.33 License Conditions (1) Functional and operating limits and monitoring instruments and limiting control settings. It appears that "Functional and operating limits" are equivalent to "safety limits" in a part 50 license. It is suggested that the title be changed to Safety Limits to be consistent with part 50.

Section 72.42 (a) states that the Commission may require backfitting if such action will provide substantial additional protection. This paragraph should be modified to include a provision that backfitting can be required only after a suitable cost-benefit analysis has shown that backfitting is justified.

Section 72.51 (b) What is intended by "a physical inventory"? Does this mean physically verifying each fuel assembly stored in the ISFSI?

A piece count and selected small quantity audit of randomly selected fuel assemblies for verification would be adequate.

Section 72.55 (c) This section as written would allow any and all tests that could be conceived and "deemed appropriate or necessary" to be required. It also appears that if the licensee does not choose to perform the test, that the Commission would perform it. The statement appears to be too broad and all encompassing. More definitive information should be given to clarify this requirement.

Specific requirements should be stated that limit the time (say 48 hours) that a test would impact receiving operations.

Section 72.54 Last sentence - Does "received" mean when the cask is received at the ISFSI? Should clarify, verification of the fuel assembly must be made before the NRC-741 can be completed and returned to DOE and the shipper. Should say "...received, verified and stored."

Section 72.71 Overall Requirements 3 - Would suggest that "credible" be inserted between "under fire" (5th line) for clarification. Also what type explosion was projected? Is ion exchange resin the only one to be considered? What was intended?

Section 72.71 (8) (i) would suggest adding "mechanical" between gross ruptures. Isn't this what we want to protect them from?

Section 72.71 (8) (ii) lines 16 thru 20. It should not be a requirement to have water level monitoring equipment alarm "both locally and in a continuously manned location", if the local area is continuously manned, the licensee may choose to have a second alarm location but this should be his choice. Remove the words "both locally and" replace with "locally if not continuously manned or in...".

Section 72.71 (10) - Clarification of this section as to what is meant by action to be taken to "operate the ISFSI safely under normal conditions" is needed. The intent should be to monitor under normal conditions not to operate. Suggest that "if required" be inserted in line 2 so it reads - "A control room or control areas, if required, shall be designed to permit occupancy and action to be taken to monitor the ISFSI safely under normal condition and to maintain the ISFSI in a safe condition under off normal or accident conditions".

Section 72.71 (19) - It is recommended that this paragraph be amended to eliminate the requirement that on-site facilities be provided to concentrate all site generated wastes. Concentration and conversion into a form suitable for interim storage and ultimate disposal might be best accomplished at a location other than where the waste is generated. The following is a suggested rewording of this paragraph.

- (19) Waste Treatment - Waste treatment facilities shall be provided. Provisions shall be made for the conversion of site generated wastes into a form suitable for interim storage or ultimate final disposal.