



Nebraska Department of Environmental Control

J. James Exon, Governor

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

Dear Mr. Stanford:

We have reviewed the proposed spent fuel storage regulations published in the Federal Register on October 6, 1978, and offer the following comments:

1. Subpart C, Issuance and Conditions of Licenses. The proposal to issue the license at a very early stage and then re-examine it and add conditions before the facility can receive waste could result in the construction of an ISFSI which would not be allowed to receive spent fuel. This could result in wasting millions of dollars either by reason of the facility standing as a white elephant or in spending large sums to rebuild selected parts. One license should be issued after receipt of sufficient data to indicate the facility will be able to receive spent fuel. In an effort to save time by the method proposed, delays could result which would defeat the purpose of the regulation.

2. Seismic Characteristics. The seismic requirements should include the option of construction to meet the 0.259 acceleration or of performing the seismic analysis to justify a lower acceleration. The design of the basin to meet 0.259 is primarily a matter of additional concrete and construction material. However, the auxiliary systems designs become much more involved for increased seismic acceleration. If 0.259 is required and a facility is located at the site of an operating reactor designed to 0.159, the lack of logic is obvious. Also, such location would obviate the possible use of existing rad waste systems in the existing nuclear facility for processing the new storage facility liquids.

I hope these comments will be useful to you. Should you have any questions, please feel free to call.

Sincerely,

Richard H. Hansen
Senior Legal Counsel

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RHH:ck

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Marvin Carlson