

June 5, 2001

MEMORANDUM TO: Eric J. Leeds, Branch Chief  
Special Projects Branch  
Division of Fuel Cycle Safety  
and Safeguards

THRU: Joseph G. Giitter, Chief **/RA/**  
Enrichment Section  
Special Projects Branch, FCSS

FROM: Timothy C. Johnson **/RA/**  
Senior Mechanical Systems Engineer  
Enrichment Section  
Special Projects Branch, FCSS

SUBJECT: MIXED OXIDE FUEL FABRICATION FACILITY MANAGEMENT  
MEETING SUMMARY - MAY 29, 2001

On May 29, 2001, U.S. Nuclear Regulatory Commission (NRC) staff met with staff from Duke Cogema Stone & Webster (DCS) to discuss schedules and management expectations for the mixed oxide (MOX) fuel fabrication facility licensing review. I am attaching the meeting summary for your use.

Docket No: 70-3098

Attachment: MOX Facility Management Meeting Summary

cc: Mr. Peter Hastings, DCS  
Mr. James Johnson, DOE  
Mr. Henry Potter, SC Dept. of H&EC  
Mr. John T. Conway, DNFSB  
Mr. Don Moniak, BREDL

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**ADAMS:** Package#:ML012350207 **Memo/Summary Attch 1 Attch2**  
**Attch3**

**G:\SPB\TCJ\MOXMNGTMTGMIN.WPD** \*SEE PREVIOUS CONCURRENCE

<b>OFC</b>	SPB		SPB		SPB	
<b>NAME</b>	TCJohnson:*		DHoadley*		JGiitter*	
<b>DATE</b>	6 /4 /01		6/5 /01		6 /5/01	

**C = COVER**

**E = COVER & ENCLOSURE**

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## Mixed Oxide Fuel Fabrication Facility Management Meeting

Date: May 29, 2001

Place: U.S. Nuclear Regulatory Commission (NRC) Offices; Rockville, MD

Attendees: See Attachment 1

Purpose:

The purpose of this meeting was to discuss the project licensing schedule and management expectations.

Discussion:

Following introduction of individuals attending the meeting, NRC staff presented a licensing schedule for discussion (see Attachment 2). This schedule includes preparation of requests for additional information (RAIs) on the Environmental Report (ER) to be completed on June 12, 2001; an RAI on the quality assurance program to be completed on June 18, 2001; and an RAI on the construction application to be completed on June 29, 2001. Duke Cogema Stone & Webster (DCS) responses would be due for the ER RAI on July 12, 2001; for the quality assurance program RAI on July 18, 2001; and for the construction application RAI on August 31, 2001. Other key milestones include:

- Issuance of the Environmental Impact Statement (EIS) scoping report on July 31, 2001;
- Issuance of a draft Safety Evaluation Report (SER) on the quality assurance program on August 17, 2001;
- Issuance of a final SER on the quality assurance program on October 1, 2001;
- Issuance of a draft EIS on February 28, 2002;
- Issuance of a draft SER on the construction application on April 30, 2002; and
- Issuance of a final EIS and final SER on the construction application on September 30, 2002.

DCS staff indicated that this schedule was consistent with their expectations. DCS staff also indicated that DCS wants to recover some of the schedule slippage that occurred in delaying submittal of the construction application from December 2000 to February 2001. DCS proposed to request approval for early site work. DCS staff received NRC's May 15, 2001, letter stating that DCS would need to submit an exemption request for NRC to consider this request. DCS staff asked if there were any deficiencies in the April 30, 2001, request. NRC staff indicated that it had not reached any conclusions regarding the information previously submitted and was not prepared to discuss this matter at this meeting. DCS staff indicated that an exemption request will be made, possibly by June 1, 2001, and will likely contain the same information provided in its April 30, 2001, request. DCS said it desired a response by August 2001.

E. Leeds discussed NRC management expectations and "Rules for Engagement" during the licensing review. He presented a series of vignettes in Attachment 3. E. Leeds indicated that review of the MOX construction application is the highest priority activity in the Special Projects Branch. However, the branch also has other customers with ongoing activities. Therefore, it

will be necessary to consider any schedule slippage with other branch needs. E. Leeds indicated that the licensing review will be based on the regulatory requirements and the Standard Review Plan and he will attempt to minimize staff changes during the review to ensure continuity. He stated that DCS's responses to RAIs need to be of high quality and complete. Partial submittals to RAIs are not desired as many questions will need to be coordinated with other staff and integrated with other RAI responses. He said the NRC's goal is no RAIs, but one and possibly two would be acceptable. If two RAIs are insufficient to resolve all outstanding issues, the NRC will prepare an SER based on the existing information, identify the outstanding issues, and terminate the review. E. Leeds suggested that a meeting would be useful shortly after DCS receives the RAIs to request any clarifications on what is being requested. A meeting prior to transmittal of responses was also suggested. These meetings would be open to public observation. DCS staff indicated that these "Rules of Engagement" were acceptable.

In Attachment 4, DCS staff presented some recent changes in their organization, and indicated they would like management meetings to take place bi-monthly with less formal project manager meetings at least monthly. DCS proposed to continue to have technical exchanges where needed. NRC staff was agreeable to these proposals.

J. Giitter identified areas where DCS sent letters and suggestions to facilitate NRC activities. One example, was the January 29, 2001, letter where DCS suggested wording for NRC Federal Register notices. J. Giitter indicated that such letters in fact do not help NRC, but can present an appearance of a lack of independence that could be problematic later on. J. Giitter suggested that DCS consider the need for and timing of such suggestions.

DCS staff asked if the review of the polycarbonate materials report would be completed in the near future. T.C. Johnson indicated that he would check the status of the review with the applicable fire protection specialist. DCS staff also asked on the status of the two exemption requests in the construction application on decommissioning funding and Price Anderson Act liability. T.C. Johnson indicated that NRC had planned to address these issues as part of the construction application review. DCS asked if review of these issues could be accelerated. NRC staff will discuss this request internally.

Action Items:

1. Verify status of polycarbonate materials report review.
2. Evaluate acceleration of exemption request reviews.