



State of New Jersey

Department of Environmental Protection

Division of Environmental Safety, Health, and Analytical Programs

Radiation Protection Programs

PO Box 415

Trenton, New Jersey 08625-0415

Phone: (609) 984-5636

Fax: (609) 633-2210

DONALD T. DiFRANCESCO
Acting Governor

Robert C. Shinn, Jr.
Commissioner

September 11, 2001

Secretary
U. S. Nuclear Regulatory Commission
Washington, DC 20555-001
Attn: Rulemaking and Adjudication's Staff

Subject: August 9, 2001 Meeting between the New Jersey Department of Environmental Protection and the U. S. Nuclear Regulatory Commission Concerning the "List of Approved Spent Fuel Storage Casks: Standardized NUHOMS-24P and 52B Revision" (June 29, 2001 Federal Register Notice)

The U. S. Nuclear Regulatory Commission (NRC) is in the process of amending 10 CFR Part 72 to include a revision to the Standardized NUHOMS 24P and 52B to include a new dry storage canister – the 61BT. We submitted a letter to the NRC on July 27, 2001 outlining the need for a meeting between the New Jersey Department of Environmental Protection (NJDEP) and the NRC in order to discuss some open questions, comments, and concerns regarding the 61BT. The NJ DEP and the NRC met on August 9, 2001 at NRC headquarters from 10:00 am until about noon.

First of all, I want to thank the NRC for meeting with us regarding the storage of high level radioactive waste in New Jersey. Our meeting with the staff from the Spent Fuel Project office helped us to better understand the role of the NRC in this approval process, as well as the technical issues that are integral to safely storing high level radioactive waste.

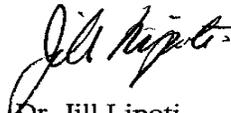
Overall, most of our questions, comments, and concerns were addressed by the NRC during the meeting. At this point, we have not identified any significant adverse comment and, therefore, we have no opposition to the NRC amending its regulations revising the Standardized NUHOMS – 24P and 52B cask system listing within the "List of Approved Spent Fuel Storage Casks" to include Amendment No. 3 to Certificate of Compliance Number 1004.

Our only comments at this time are outlined below.

1. We need to keep the lines of communication open. During the meeting, we established that Tim Kobetz would be our contact on this project until the amendment is approved. Please notify us of the new contact for this project once the amendment is approved by the NRC.
2. During the meeting, we agreed that the NRC Region 1 staff should be contacted in order to determine the Regional effort on this project. The Region 1 staff has informed us that they are in the process of developing an Oyster Creek dry storage work and inspection plan. We will meet with them after we receive the plan.
3. During the meeting, we agreed that some of the technical questions could not be fully explored given the time and technical nature of the questions. Specifically, we would like to meet with the NRC technical staff to better understand the structural capabilities, the thermal capabilities, and the shielding capabilities of the 61BT canister.
4. Finally, we discussed the NRC inspection of the fabrication of the 61BT canisters. We recommend that the NRC staff visit the facility and inspect the fabrication process and the canisters. As you know, the fabrication of the 61BT's has started in Japan. Since the fabrication is being conducted in a foreign country at a facility that has not been visited by the NRC, and since this is a new canister design, and since we are not capable of inspecting them ourselves, we request that the NRC staff inspect them while they are being fabricated.
5. We request a copy of the NRC's official summary of the meeting o that it can be provided to individuals inquiring about the August 9, 2001 meeting.

Please contact Kent Tosch, Manager, Bureau of Nuclear Engineering at 609-984-7700, if you have any questions or need further clarification.

Sincerely,



Dr. Jill Lipoti
Assistant Director
Radiation Protection Programs

Distribution

Dr. G. Nicholls, Director, NJ DEP

K. Tosch, Manager, NJ DEP

W. Brach, Director, NRC, Spent Fuel Project Office

R. Bores, NRC, Region I State Liaison Officer

W. Romberg, Project Manager, Oyster Creek Dry Storage, AmerGen

H. Pastis, NRC Project Manager, Oyster Creek

L. Dudes, Sr. Resident Inspector, Oyster Creek