



Applicability, Compatibility, and Consistency of Spent Fuel Storage Requirements and Guidance for Specific Licensees, General Licensees, and Certificate of Compliance Holders

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Meeting to Obtain Stakeholder Feedback on Enhancements
to the Licensing and Inspection Programs for
Spent Fuel Storage and Transportation

August 16, 2012

Background

- 10 CFR Part 72 modified over time to establish requirements for:
 - Specific license (SL) for storage in an Independent Spent Fuel Storage Installation (ISFSI)
 - General license (GL) for storage in an ISFSI
 - Certificate of Compliance (CoC) for spent fuel storage cask designs, for use by GL
 - Dry and wet modes of storage
- 10 CFR 72.13 (“Applicability”) identifies which requirements apply to SLs, GLs, and CoCs

Background (cont.)

- 10 CFR Part 72, Subpart K provides a general license for storage of spent fuel in an ISFSI, to persons authorized to possess or operate a reactor under 10 CFR Part 50 or Part 52
- Certain requirements for spent fuel storage in a generally-licensed ISFSI are based in Part 50

Issue Description

- Questions regarding applicability and consistency of requirements, as various licensing and certification requirements related to spent fuel storage are set forth in Part 72 and Part 50
- Issues re: Part 72/50 interface, in terms of implementation of GL and CoC requirements, particularly during cask loading and handling in a Part 50 facility

Issue Description (cont.)

- Staff will review requirements in Parts 72 and 50 and guidance to identify efficiency and effectiveness improvements to the current framework to ensure:
 - Clear and consistent requirements for SLs, GLs, and CoCs
 - Effective implementation of the regulatory framework

Considerations

- Consider further alignment of requirements for SLs, GLs, and CoCs
 - Review §72.13 to assure appropriate mapping of requirements
 - Consider revision of specific regulations to enhance consistency in similar specific and general licensing requirements
 - Consider restructuring Part 72 to group regulations according to type of license or facility, dry cask design requirements, or requirements applicable to wet modes of storage; consider potential burden on NRC and stakeholders

Considerations (cont.)

- Consider clarification of requirements, e.g.:
 - §72.212(a)(3) – clarify language regarding commencement of the GL
 - §72.218 – add cross-reference to §72.218 in §§ 50.54(bb), 50.82, and 52.110
 - §72.248(a) – clarify applicability of the requirement (to submit Final Safety Analysis Report within 90 days of cask design approval) to CoC amendments

Considerations (cont.)

- Consider developing guidance or updating existing guidance to address:
 - Scope of storage cask certification and its supporting analyses versus how Part 50 programs are relied upon
 - Applicability of Part 72 requirements inside Part 50 facilities
 - Explanation of general license framework and process
 - Considerations unique to generally-licensed ISFSIs at shutdown or decommissioned reactor sites

Conclusion

- Opportunity to clarify the regulatory framework to ensure effective implementation, by:
 - Further aligning requirements for SLs, GLs, and CoCs
 - Clarifying specific requirements
 - Developing or updating guidance to address questions or issues



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