



ADMINISTRATION OF STORAGE CERTIFICATES OF COMPLIANCE (COCs) AND AMENDMENTS TO COCs

John Goshen, P. E.

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

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Background

- In 1980, 10 CFR Part 72 was initially promulgated.
- As dry cask storage technology evolved, consideration expanded to include dry storage of spent fuel in casks on a storage pad at a reactor site.

Background (cont.)

- 1990 revision of 10 CFR Part 72
 - Added the general license provisions (Subpart K).
 - Established framework for certifying cask systems for use by 10 CFR Part 50 licensees (Subpart L).
 - Uses direct final rulemaking process to certify cask systems and subsequent amendments.
 - Approved cask systems are identified as Certificates of Compliance (CoCs). These and their subsequent amendments are added to the 10 CFR 72.214 list for use by 10 CFR Part 50 licensees.

Issue Description

- The NRC staff is conducting a review of the regulatory framework for spent fuel storage under 10 CFR 72, Subparts K and L, to identify potential enhancements to efficiency and effectiveness.
- As the use of CoCs, in lieu of site specific ISFSI licenses, has become more prevalent and frequent, implementation issues have been identified with the process.

Issue Description (cont.)

Specific examples are identified below and are not a comprehensive list.

- No specific criteria or guidance for:
 - What constitutes a new CoC
 - What changes can be made to an existing CoC through the amendment process.
- Review the use of the term “technology” in the 1982 NWPA, as it relates to cask certification.

Issue Description (cont.)

- Rulemaking required for minor design and regulatory changes to cask systems.
- Current rulemaking process may not be the most efficient or effective method to make corrections to approved CoCs or amendments listed in 10 CFR 72.214.

Issue Description (cont.)

- Explore whether the complete direct final rulemaking process is needed for an amendment that does not alter the technical basis of the “approved technology.”

Issue Description (cont.)

- Determine if there is flexibility in the current legal framework to conduct the cask certification process in a more efficient and expedited manner, to reduce the administrative burden on applicants, general users, and the NRC staff to implement 10 CFR Part 72, Subparts K and L under the current framework.

Considerations

- Develop a technical basis to define :
 - The regulatory basis of a new CoC (technology) versus
 - What constitutes an amendment to a CoC.

Considerations (cont.)

- Evaluate a “single certificate” approach where subsequent amendments supersede previous amendments.



Comments



Contact

John Goshen

John.Goshen@nrc.gov

301-492-3325

Daniel Huang

Daniel.Huang@nrc.gov

301-492-3315