

# Continued Storage Rule: Background



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- **The Waste Confidence Rule historically addressed the safety and environmental impacts of commercial spent fuel storage beyond the licensed life of the reactor; it also addressed other issues, like availability of a spent-fuel repository.**
  - **Several U.S. states, along with an American Indian tribal government and several public interest groups, challenged NRC's 2010 update to the Waste Confidence Rule.**
  - **A U.S. Court of Appeals ruled (June 8, 2012) that the 2010 Rule did not fully satisfy the National Environmental Policy Act and identified deficiencies in the NRC's environmental analysis.**

# Continued Storage Rule Approved



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- **The Commission approved the Final Continued Storage Rule and Final Generic Environmental Impact Statement on August 26, 2014**
    - The Impact Statement and Rule address the deficiencies identified by the Court of Appeals
  - **Many notable changes from past Rules**
    - New name: Continued Storage
    - New approach: Focuses on environmental impacts and no longer incorporates a separate policy statement or decision related to spent fuel storage
    - The Rule incorporates the impact statement's findings

# Effects of Rule Approval



- **The NRC plans to publish the new Rule in late September. The final Rule will be effective 30 days after publication**
- **Final licensing decisions can now resume**
  - At the same time as the Commission approved the final Rule, it issued an order that effectively lifted the hold on final licensing actions that it imposed in August of 2012
  - The Commission also dismissed legal challenges in many ongoing licensing proceedings
- **NRC offices will now consider what actions, if any, are necessary to implement the new Rule in ongoing licensing proceedings**