



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

September 27, 2019

MEMORANDUM TO: Eugene Dacus, Director
Office of Congressional Affairs

FROM: Thomas H. Boyce, Chief *RRL for*
Regulatory Guidance and Generic Issues Branch
Division of Engineering
Office of Nuclear Regulatory Research

SUBJECT: TRANSMITTAL OF CONGRESSIONAL REVIEW ACT FORMS
REGARDING WITHDRAWAL OF REGULATORY GUIDE 3.53

Enclosed for your signature are three Congressional Review Act forms for withdrawal of Regulatory Guide (RG) 3.53, "Applicability of Existing Regulatory Guides to the Design, Construction, and Operation of an Independent Spent Fuel Storage Installation."

Please arrange to have these forms submitted to the President of the Senate, the Speaker of the House of Representatives, and the U.S. Government Accountability Office.

Enclosures:

1. Congressional Review Act Form
2. Federal Register Notice

CONTACT: Stanley Gardocki, RES/DE/RGGIB
301-415-1067

SUBJECT: TRANSMITTAL OF CONGRESSIONAL REVIEW ACT FORMS
REGARDING WITHDRAWAL OF REGULATORY GUIDE 3.53

DISTRIBUTION:

None

ADAMS Accession No: 19268A174

OFFICE	RES/DE/RGGIB	RES/DE/RGGIB
NAME	S. Gardocki	T. Boyce <i>RRR for</i>
DATE	09/25/19	09/ <i>27</i> /19

OFFICIAL RECORD COPY



Submission of Federal Rules Under the Congressional Review Act

☐ President of the Senate

☐ Speaker of the House of Representatives

☒ GAO

Please fill the circles electronically or with black pen or #2 pencil.

1. Name of Department or Agency

U.S. Nuclear Regulatory Commission

2. Subdivision or Office

Office of Nuclear Regulatory Research

3. Rule Title

Regulatory Guide (RG) 3.53, "Applicability of Existing Regulatory Guides to the Design, Construction, and Operation of an Independent Spent Fuel Storage Installation"

4. Regulation Identifier Number (RIN) or Other Unique Identifier (if applicable)

5. Major Rule ☐ Non-major Rule ☒

6. Final Rule ☐ Other ☒ Withdrawal of RG 3.53

7. With respect to this rule, did your agency solicit public comments?

Yes ☐ No ☒ N/A ☐

8. Priority of Regulation (fill in one)

☐ Economically Significant; or
Significant; or
Substantive, Nonsignificant

☒ Routine and Frequent or
Informational/Administrative/Other
(Do not complete the other side of this form
if filled in above.)

9. Effective Date (if applicable)

10. Concise Summary of Rule (fill in one or both)

attached ☐ stated in rule ☒

Submitted by:

(signature)

Name: Eugen Dacus

SEP 30 2019

Title: Director, Office of Congressional Affairs

For Congressional Use Only:

Date Received: _____

Committee of Jurisdiction: _____



24722

	Yes	No	N/A
A. With respect to this rule, did your agency prepare an analysis of costs and benefits?	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
B. With respect to this rule, by the final rulemaking stage, did your agency			
1. certify that the rule would not have a significant economic impact on a substantial number of small entities under 5 U.S.C. § 605(b)?	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
2. prepare a final Regulatory Flexibility Analysis under 5 U.S.C. § 604(a)?	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
C. With respect to this rule, did your agency prepare a written statement under § 202 of the Unfunded Mandates Reform Act of 1995?	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
D. With respect to this rule, did your agency prepare an Environmental Assessment or an Environmental Impact Statement under the National Environmental Policy Act (NEPA)?	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
E. Does this rule contain a collection of information requiring OMB approval under the Paperwork Reduction Act of 1995?	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
F. Did you discuss any of the following in the preamble to the rule?	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
• E.O. 12612, Federalism	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
• E.O. 12630, Government Actions and Interference with Constitutionally Protected Property Rights	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
• E.O. 12866, Regulatory Planning and Review	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
• E.O. 12875, Enhancing the Intergovernmental Partnership	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
• E.O. 12988, Civil Justice Reform	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
• E.O. 13045, Protection of Children from Environmental Health Risks and Safety Risks	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
• Other statutes or executive orders discussed in the preamble concerning the rulemaking process (please specify)			

NUCLEAR REGULATORY COMMISSION

[NRC-2019-0157]

**Applicability of Existing Regulatory Guides to the Design, Construction, and
Operation of an Independent Spent Fuel Storage Installation**

AGENCY: Nuclear Regulatory Commission.

ACTION: Regulatory guide; withdrawal.

SUMMARY: The U.S. Nuclear Regulatory Commission (NRC) is withdrawing Regulatory Guide (RG) 3.53, "Applicability of Existing Regulatory Guides to the Design, Construction, and Operation of an Independent Spent Fuel Storage Installation." This document is being withdrawn because the information included in the RG has been superseded by newer guidance and is therefore no longer needed.

DATES: The withdrawal of RG 3.53 takes effect on **[INSERT DATE OF PUBLICATION IN THE *FEDERAL REGISTER*]**.

ADDRESSES: Please refer to Docket ID **NRC-2019-0157** when contacting the NRC about the availability of information regarding this document. You may obtain publicly-available information related to this document, using the following methods:

- **Federal rulemaking Web site:** Go to <https://www.regulations.gov/> and search for Docket ID **NRC-2019-0157**. Address questions about NRC docket IDs in [Regulations.gov](https://www.regulations.gov/) to Jennifer Borges; telephone: 301-287-9127; e-mail: Jennifer.Borges@nrc.gov. For technical questions, contact the individuals listed in the **FOR FURTHER INFORMATION CONTACT** section of this document.

- **NRC's Agencywide Documents Access and Management System (ADAMS):** You may obtain publicly-available documents online in the ADAMS Public

Document collection at <https://www.nrc.gov/reading-rm/adams.html>. To begin the search, select "[Begin Web-based ADAMS Search](#)." For problems with ADAMS, please contact the NRC's Public Document Room (PDR) reference staff at 1-800-397-4209, 301-415-4737, or by e-mail to pdr.resource@nrc.gov. The ADAMS accession number for each document referenced in this notice (if that document is available in ADAMS) is provided the first time that a document is referenced. The basis for the withdrawal of this regulatory guide is found in ADAMS under Accession No. ML19177A369.

- **NRC's PDR:** You may examine and purchase copies of public documents at the NRC's PDR, Room O1-F21, One White Flint North, 11555 Rockville Pike, Rockville, Maryland 20852.

Regulatory guides are not copyrighted, and NRC approval is not required to reproduce them.

FOR FURTHER INFORMATION CONTACT: Haile Lindsay, Office of Nuclear Material Safety and Safeguards; telephone: 301-415-0616; e-mail: Haile.Lindsay@nrc.gov, or Harriet Karagiannis, Office of Nuclear Regulatory Research; telephone: 301-415-2493; e-mail: Harriet.Karagiannis@nrc.gov. Both are staff of the U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001.

SUPPLEMENTARY INFORMATION:

The NRC is withdrawing RG 3.53 because it has been superseded and is no longer needed. RG 3.53 was published in July 1982 to describe the applicability of existing regulatory guides that would aid in the design, construction, and operation of an independent spent fuel storage installation (ISFSI). At that time, there were no precedents for applications for ISFSIs, there was not a consolidated set of guidance, and information technology did not exist to provide guidance electronically for ISFSIs. The staff issued RG 3.53 to expedite the staff's reviews of ISFSI applications, which were

anticipated under the new requirements in title 10 of the *Code of Federal Regulations* (10 CFR) part 72, "Licensing Requirements for the Independent Storage of Spent Nuclear Fuel, High Level Radioactive Waste, and Reactor-Related Greater than Class C Waste."

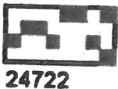
Since 1982, many of the guidance documents and regulatory positions listed in the RG have been withdrawn or superseded by more current guidance. Examples of new or revised staff guidance for ISFSIs include RG 3.48, "Standard Format and Content for the Safety Analysis Report for an Independent Spent Fuel Storage Installation or Monitored Retrievable Storage Installation (Dry Storage)," RG 3.50, "Standard Format and Content for a Specific License Application for An Independent Spent Fuel Storage Installation or Monitored Retrievable Storage Facility," RG 3.60, "Design of an Independent Spent Fuel Storage Installation (Dry Storage)," and RG 3.62, "Standard Format and Content for the Safety Analysis Report for Onsite Storage of Spent Fuel Storage Casks." These guidance documents incorporate the lessons learned during the licensing process and from operational experiences with ISFSIs. The current information technology available today makes the numerous RGs in the areas of design, construction, and operation of an ISFSI readily available electronically on the NRC's public website and it is easy for applicants to navigate and identify these guides.

Dated at Rockville, Maryland, this 23rd day of September, 2019.

For the Nuclear Regulatory Commission.

/RA/

Thomas H. Boyce, Chief,
Regulatory Guidance and Generic Issues
Branch,
Division of Engineering,
Office of Nuclear Regulatory Research.



24722

Submission of Federal Rules Under the Congressional Review Act

☐ President of the Senate☒ Speaker of the House of Representatives☐ GAO

Please fill the circles electronically or with black pen or #2 pencil.

1. Name of Department or Agency

U.S. Nuclear Regulatory Commission

2. Subdivision or Office

Office of Nuclear Regulatory Research

3. Rule Title

Regulatory Guide (RG) 3.53, "Applicability of Existing Regulatory Guides to the Design, Construction, and Operation of an Independent Spent Fuel Storage Installation"

4. Regulation Identifier Number (RIN) or Other Unique Identifier (if applicable)

5. Major Rule ☐ Non-major Rule ☒6. Final Rule ☐ Other ☒ Withdrawal of RG 3.53

7. With respect to this rule, did your agency solicit public comments?

Yes ☐ No ☒ N/A ☐

8. Priority of Regulation (fill in one)

☐ Economically Significant; or
Significant; or
Substantive, Nonsignificant☒ Routine and Frequent or
Informational/Administrative/Other
(Do not complete the other side of this form
if filled in above.)

9. Effective Date (if applicable)

10. Concise Summary of Rule (fill in one or both)

attached ☐ stated in rule ☒Submitted by: Eugen Dacus (signature)

SEP 30 2019

Name: Eugen DacusTitle: Director, Office of Congressional Affairs

For Congressional Use Only:

Date Received: _____

Committee of Jurisdiction: _____

3/23/99



24722

	Yes	No	N/A
A. With respect to this rule, did your agency prepare an analysis of costs and benefits?	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
B. With respect to this rule, by the final rulemaking stage, did your agency			
1. certify that the rule would not have a significant economic impact on a substantial number of small entities under 5 U.S.C. § 605(b)?	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
2. prepare a final Regulatory Flexibility Analysis under 5 U.S.C. § 604(a)?	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
C. With respect to this rule, did your agency prepare a written statement under § 202 of the Unfunded Mandates Reform Act of 1995?	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
D. With respect to this rule, did your agency prepare an Environmental Assessment or an Environmental Impact Statement under the National Environmental Policy Act (NEPA)?	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
E. Does this rule contain a collection of information requiring OMB approval under the Paperwork Reduction Act of 1995?	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
F. Did you discuss any of the following in the preamble to the rule?	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
• E.O. 12612, Federalism	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
• E.O. 12630, Government Actions and Interference with Constitutionally Protected Property Rights	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
• E.O. 12866, Regulatory Planning and Review	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
• E.O. 12875, Enhancing the Intergovernmental Partnership	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
• E.O. 12988, Civil Justice Reform	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
• E.O. 13045, Protection of Children from Environmental Health Risks and Safety Risks	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
• Other statutes or executive orders discussed in the preamble concerning the rulemaking process (please specify)			

NUCLEAR REGULATORY COMMISSION

[NRC-2019-0157]

**Applicability of Existing Regulatory Guides to the Design, Construction, and
Operation of an Independent Spent Fuel Storage Installation**

AGENCY: Nuclear Regulatory Commission.

ACTION: Regulatory guide; withdrawal.

SUMMARY: The U.S. Nuclear Regulatory Commission (NRC) is withdrawing Regulatory Guide (RG) 3.53, "Applicability of Existing Regulatory Guides to the Design, Construction, and Operation of an Independent Spent Fuel Storage Installation." This document is being withdrawn because the information included in the RG has been superseded by newer guidance and is therefore no longer needed.

DATES: The withdrawal of RG 3.53 takes effect on **[INSERT DATE OF PUBLICATION IN THE *FEDERAL REGISTER*]**.

ADDRESSES: Please refer to Docket ID **NRC-2019-0157** when contacting the NRC about the availability of information regarding this document. You may obtain publicly-available information related to this document, using the following methods:

- **Federal rulemaking Web site:** Go to <https://www.regulations.gov/> and search for Docket ID **NRC-2019-0157**. Address questions about NRC docket IDs in [Regulations.gov](https://www.regulations.gov/) to Jennifer Borges; telephone: 301-287-9127; e-mail: Jennifer.Borges@nrc.gov. For technical questions, contact the individuals listed in the **FOR FURTHER INFORMATION CONTACT** section of this document.

- **NRC's Agencywide Documents Access and Management System (ADAMS):** You may obtain publicly-available documents online in the ADAMS Public

Document collection at <https://www.nrc.gov/reading-rm/adams.html>. To begin the search, select "[Begin Web-based ADAMS Search](#)." For problems with ADAMS, please contact the NRC's Public Document Room (PDR) reference staff at 1-800-397-4209, 301-415-4737, or by e-mail to pdr.resource@nrc.gov. The ADAMS accession number for each document referenced in this notice (if that document is available in ADAMS) is provided the first time that a document is referenced. The basis for the withdrawal of this regulatory guide is found in ADAMS under Accession No. ML19177A369.

- **NRC's PDR:** You may examine and purchase copies of public documents at the NRC's PDR, Room O1-F21, One White Flint North, 11555 Rockville Pike, Rockville, Maryland 20852.

Regulatory guides are not copyrighted, and NRC approval is not required to reproduce them.

FOR FURTHER INFORMATION CONTACT: Haile Lindsay, Office of Nuclear Material Safety and Safeguards; telephone: 301-415-0616; e-mail: Haile.Lindsay@nrc.gov, or Harriet Karagiannis, Office of Nuclear Regulatory Research; telephone: 301-415-2493; e-mail: Harriet.Karagiannis@nrc.gov. Both are staff of the U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001.

SUPPLEMENTARY INFORMATION:

The NRC is withdrawing RG 3.53 because it has been superseded and is no longer needed. RG 3.53 was published in July 1982 to describe the applicability of existing regulatory guides that would aid in the design, construction, and operation of an independent spent fuel storage installation (ISFSI). At that time, there were no precedents for applications for ISFSIs, there was not a consolidated set of guidance, and information technology did not exist to provide guidance electronically for ISFSIs. The staff issued RG 3.53 to expedite the staff's reviews of ISFSI applications, which were

anticipated under the new requirements in title 10 of the *Code of Federal Regulations* (10 CFR) part 72, "Licensing Requirements for the Independent Storage of Spent Nuclear Fuel, High Level Radioactive Waste, and Reactor-Related Greater than Class C Waste."

Since 1982, many of the guidance documents and regulatory positions listed in the RG have been withdrawn or superseded by more current guidance. Examples of new or revised staff guidance for ISFSIs include RG 3.48, "Standard Format and Content for the Safety Analysis Report for an Independent Spent Fuel Storage Installation or Monitored Retrievable Storage Installation (Dry Storage)," RG 3.50, "Standard Format and Content for a Specific License Application for An Independent Spent Fuel Storage Installation or Monitored Retrievable Storage Facility," RG 3.60, "Design of an Independent Spent Fuel Storage Installation (Dry Storage)," and RG 3.62, "Standard Format and Content for the Safety Analysis Report for Onsite Storage of Spent Fuel Storage Casks." These guidance documents incorporate the lessons learned during the licensing process and from operational experiences with ISFSIs. The current information technology available today makes the numerous RGs in the areas of design, construction, and operation of an ISFSI readily available electronically on the NRC's public website and it is easy for applicants to navigate and identify these guides.

Dated at Rockville, Maryland, this 23rd day of September, 2019.

For the Nuclear Regulatory Commission.

/RA/

Thomas H. Boyce, Chief,
Regulatory Guidance and Generic Issues
Branch,
Division of Engineering,
Office of Nuclear Regulatory Research.



24722

Submission of Federal Rules Under the Congressional Review Act

☒ President of the Senate☐ Speaker of the House of Representatives☐ GAO

Please fill the circles electronically or with black pen or #2 pencil.

1. Name of Department or Agency

U.S. Nuclear Regulatory Commission

2. Subdivision or Office

Office of Nuclear Regulatory Research

3. Rule Title

Regulatory Guide (RG) 3.53, "Applicability of Existing Regulatory Guides to the Design, Construction, and Operation of an Independent Spent Fuel Storage Installation"

4. Regulation Identifier Number (RIN) or Other Unique Identifier (if applicable)

5. Major Rule ☐ Non-major Rule ☒6. Final Rule ☐ Other ☒ Withdrawal of RG 3.53

7. With respect to this rule, did your agency solicit public comments?

Yes ☐ No ☒ N/A ☐

8. Priority of Regulation (fill in one)

☐ Economically Significant; or
Significant; or
Substantive, Nonsignificant☒ Routine and Frequent or
Informational/Administrative/Other
(Do not complete the other side of this form
if filled in above.)

9. Effective Date (if applicable)

10. Concise Summary of Rule (fill in one or both)

attached ☐ stated in rule ☒

Submitted by:

(signature)

SEP 30 2019

Name: Eugen DacusTitle: Director, Office of Congressional Affairs

For Congressional Use Only:

Date Received: _____

Committee of Jurisdiction: _____

3/23/99



24722

	Yes	No	N/A
A. With respect to this rule, did your agency prepare an analysis of costs and benefits?	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
B. With respect to this rule, by the final rulemaking stage, did your agency			
1. certify that the rule would not have a significant economic impact on a substantial number of small entities under 5 U.S.C. § 605(b)?	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
2. prepare a final Regulatory Flexibility Analysis under 5 U.S.C. § 604(a)?	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
C. With respect to this rule, did your agency prepare a written statement under § 202 of the Unfunded Mandates Reform Act of 1995?	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
D. With respect to this rule, did your agency prepare an Environmental Assessment or an Environmental Impact Statement under the National Environmental Policy Act (NEPA)?	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
E. Does this rule contain a collection of information requiring OMB approval under the Paperwork Reduction Act of 1995?	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
F. Did you discuss any of the following in the preamble to the rule?	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
• E.O. 12612, Federalism	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
• E.O. 12630, Government Actions and Interference with Constitutionally Protected Property Rights	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
• E.O. 12866, Regulatory Planning and Review	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
• E.O. 12875, Enhancing the Intergovernmental Partnership	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
• E.O. 12988, Civil Justice Reform	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
• E.O. 13045, Protection of Children from Environmental Health Risks and Safety Risks	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
• Other statutes or executive orders discussed in the preamble concerning the rulemaking process (please specify)			

NUCLEAR REGULATORY COMMISSION

[NRC-2019-0157]

**Applicability of Existing Regulatory Guides to the Design, Construction, and
Operation of an Independent Spent Fuel Storage Installation**

AGENCY: Nuclear Regulatory Commission.

ACTION: Regulatory guide; withdrawal.

SUMMARY: The U.S. Nuclear Regulatory Commission (NRC) is withdrawing Regulatory Guide (RG) 3.53, "Applicability of Existing Regulatory Guides to the Design, Construction, and Operation of an Independent Spent Fuel Storage Installation." This document is being withdrawn because the information included in the RG has been superseded by newer guidance and is therefore no longer needed.

DATES: The withdrawal of RG 3.53 takes effect on **[INSERT DATE OF PUBLICATION IN THE *FEDERAL REGISTER*]**.

ADDRESSES: Please refer to Docket ID **NRC-2019-0157** when contacting the NRC about the availability of information regarding this document. You may obtain publicly-available information related to this document, using the following methods:

- **Federal rulemaking Web site:** Go to <https://www.regulations.gov/> and search for Docket ID **NRC-2019-0157**. Address questions about NRC docket IDs in [Regulations.gov](https://www.regulations.gov/) to Jennifer Borges; telephone: 301-287-9127; e-mail: Jennifer.Borges@nrc.gov. For technical questions, contact the individuals listed in the **FOR FURTHER INFORMATION CONTACT** section of this document.

- **NRC's Agencywide Documents Access and Management System (ADAMS):** You may obtain publicly-available documents online in the ADAMS Public

Document collection at <https://www.nrc.gov/reading-rm/adams.html>. To begin the search, select "[Begin Web-based ADAMS Search](#)." For problems with ADAMS, please contact the NRC's Public Document Room (PDR) reference staff at 1-800-397-4209, 301-415-4737, or by e-mail to pdr.resource@nrc.gov. The ADAMS accession number for each document referenced in this notice (if that document is available in ADAMS) is provided the first time that a document is referenced. The basis for the withdrawal of this regulatory guide is found in ADAMS under Accession No. ML19177A369.

- **NRC's PDR:** You may examine and purchase copies of public documents at the NRC's PDR, Room O1-F21, One White Flint North, 11555 Rockville Pike, Rockville, Maryland 20852.

Regulatory guides are not copyrighted, and NRC approval is not required to reproduce them.

FOR FURTHER INFORMATION CONTACT: Haile Lindsay, Office of Nuclear Material Safety and Safeguards; telephone: 301-415-0616; e-mail: Haile.Lindsay@nrc.gov, or Harriet Karagiannis, Office of Nuclear Regulatory Research; telephone: 301-415-2493; e-mail: Harriet.Karagiannis@nrc.gov. Both are staff of the U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001.

SUPPLEMENTARY INFORMATION:

The NRC is withdrawing RG 3.53 because it has been superseded and is no longer needed. RG 3.53 was published in July 1982 to describe the applicability of existing regulatory guides that would aid in the design, construction, and operation of an independent spent fuel storage installation (ISFSI). At that time, there were no precedents for applications for ISFSIs, there was not a consolidated set of guidance, and information technology did not exist to provide guidance electronically for ISFSIs. The staff issued RG 3.53 to expedite the staff's reviews of ISFSI applications, which were

anticipated under the new requirements in title 10 of the *Code of Federal Regulations* (10 CFR) part 72, "Licensing Requirements for the Independent Storage of Spent Nuclear Fuel, High Level Radioactive Waste, and Reactor-Related Greater than Class C Waste."

Since 1982, many of the guidance documents and regulatory positions listed in the RG have been withdrawn or superseded by more current guidance. Examples of new or revised staff guidance for ISFSIs include RG 3.48, "Standard Format and Content for the Safety Analysis Report for an Independent Spent Fuel Storage Installation or Monitored Retrievable Storage Installation (Dry Storage)," RG 3.50, "Standard Format and Content for a Specific License Application for An Independent Spent Fuel Storage Installation or Monitored Retrievable Storage Facility," RG 3.60, "Design of an Independent Spent Fuel Storage Installation (Dry Storage)," and RG 3.62, "Standard Format and Content for the Safety Analysis Report for Onsite Storage of Spent Fuel Storage Casks." These guidance documents incorporate the lessons learned during the licensing process and from operational experiences with ISFSIs. The current information technology available today makes the numerous RGs in the areas of design, construction, and operation of an ISFSI readily available electronically on the NRC's public website and it is easy for applicants to navigate and identify these guides.

Dated at Rockville, Maryland, this 23rd day of September, 2019.

For the Nuclear Regulatory Commission.

/RA/

Thomas H. Boyce, Chief,
Regulatory Guidance and Generic Issues
Branch,
Division of Engineering,
Office of Nuclear Regulatory Research.