



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

January 8, 2020

Mr. Rodney McCullum, Sr. Director
Used Fuel and Decommissioning Program Nuclear
Energy Institute
1201 F Street, NW, Suite 1100
Washington, DC 20004

**SUBJECT: ENDORSEMENT OF INDEPENDENT SPENT FUEL STORAGE
 INSTALLATION LICENSE AND CASK CERTIFICATE OF
 COMPLIANCE FORMAT, CONTENT, AND SELECTION
 CRITERIA-GRADED APPROACH**

Dear Mr. McCullum:

In your letter dated January 12, 2017 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML17013A155), you requested the U.S. Nuclear Regulatory Commission (NRC) staff review and endorse the NRC and Nuclear Energy Institute's jointly developed "ISFSI License and Cask CoC Format Content, and Selection Criteria" document that was a direct result of a series of workshops held on August 8, 2016, October 28, 2016, November 21, 2016, January 12, 2017, March 3, 2017, and March 24, 2017. These criteria, also referred to as the "Graded Approach," were developed to improve the spent fuel dry storage licensing process by applying risk insights to clarify the information required in Certificates of Compliance (CoC) and Technical Specifications (TS) and removing or relocating details that are not risk significant to safety, thereby providing additional flexibility for licensees. On October 28, 2016, TN (ORANO) agreed to submit a license amendment application to pilot the Graded Approach criteria as Amendment No. 16 to the NUHOMS CoC No.1004.

The NRC staff finalized review of the pilot amendment application, based on the Graded Approach, and confirmed that the format and content as applied under the pilot are acceptable for use by industry. Staff also finds the screening form (see Enclosure 2) proposed by TN Americas, LLC (ADAMS Accession No. ML17192A489) acceptable for use in Graded Approach amendment applications. The objective of Regulatory Issue Resolution Protocol (RIRP) I-16-01, which was established on August 8, 2016, was to improve the format for CoC and TS, as well as set criteria for determining the content. Our completion of the pilot amendment and endorsement of the Graded Approach Criteria completes these objectives.

Furthermore, by letter dated November 8, 2019 (ADAMS Accession No. ML19318D970), you submitted a "White Paper" to the NRC with recommendations for additional engagement between the industry and NRC to define performance margins in the dry storage licensing process. The NRC staff agrees in general with engagement on the white paper recommendations to expand the use of risk information and enhance the dry storage licensing process. The NRC is interested in specific discussions on how to implement the Graded Approach through engagement on the issues in the white paper.

If you have any questions, please contact Dr. Donald Chung at 301-415-8738 or donald.chung@nrc.gov.

Sincerely,

/RA/

Andrea Kock, Director
Division of Fuel Management
Office of Nuclear Material Safety
and Safeguards

Enclosures:

1. Graded Approach Evaluation Criteria
2. Screening Form

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DOCUMENT DATED: January 8, 2020

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ADAMS Accession Number: ML19353D337 (P), ML19353D373 (L) *via email

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