

**From:** [Chen, Yen-Ju](#)  
**To:** [lee.cox@dhhs.nc.gov](mailto:lee.cox@dhhs.nc.gov)  
**Subject:** DRAFT ENVIRONMENTAL ASSESSMENT: EXEMPTION REQUEST FOR MCGUIRE NUCLEAR STATION  
INDEPENDENT SPENT FUEL STORAGE INSTALLATION  
**Date:** Thursday, June 18, 2020 3:37:00 PM  
**Attachments:** [Draft EA-McGuire Exemption for State Consultation.pdf](#)

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Dear Mr. Cox:

The U.S. Nuclear Regulatory Commission (NRC) received, by a letter dated September 12, 2019, and supplemented on February 3 and June 15, 2020, a request for an exemption, from Duke Energy Carolinas, LLC (Duke Energy) in accordance with Title 10 of the Code of Federal Regulations (10 CFR) 72.7, from the requirements of 10 CFR 72.212(b)(3), 72.212(b)(5)(i), and 72.212(b)(11) that requires compliance with the terms, conditions, and specifications of the Certificate of Compliance (CoC) No. 72-1031 for spent nuclear fuel stored at the McGuire Nuclear Station independent spent fuel storage installation (ISFSI). The CoC is the NRC-approved design for each dry storage cask system used for spent fuel storage.

This exemption would allow Duke Energy to maintain MAGNATOR<sup>®</sup> Cask OFCTKN045 at its McGuire Nuclear Station ISFSI in a storage condition where the helium density is above the range specified in CoC No. 1031, Amendment No. 7, Technical Specification 3.1.1. The exemption request is publicly available from the NRC's Agencywide Documents Access and Management System (ADAMS), accessible at: <http://www.nrc.gov/reading-rm/adams.html>. The ADAMS Accession Number for the exemption request and supplemental information are ML19270E395, ML20052D934, and ML20168A426, respectively.

As established in Title 10 Code of Federal Regulations Part 51, the NRC regulation that implements the National Environmental Policy Act of 1969, as amended, the NRC is preparing an environmental assessment (EA) for the proposed action. The purpose of the EA is to assess potential environmental impacts that may significantly affect the human environment. No significant change in the types or amounts of any effluent released, no significant increase in individual or cumulative radiation exposures, and no significant increase in the potential for or consequences of radiological accidents will occur as the result of the exemption request. For these reasons, the NRC concludes in the draft EA that approval of the exemption request will not significantly affect the quality of the human environment.

The NRC is providing your office with the opportunity to review the attached draft EA and comment on environmental issues prior to public issuance of the EA. We request that the distribution and use of the draft EA be limited only to those staff involved in the review and comment process. We further request that your office provide any comments to the NRC staff by July 20, 2020. You can provide your comments to me, via email, if that is convenient for you. We will consider your timely comments and will revise the EA, as appropriate, before its final issuance.

If you have any questions, please contact me at [Yen-Ju.Chen@nrc.gov](mailto:Yen-Ju.Chen@nrc.gov) or by telephone at 301-415-1018.

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