



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

March 25, 2021

Ms. Kimberly Manzione
Licensing Manager
Holtec International
Holtec Technology Campus
One Holtec Boulevard
Camden, NJ 08104

SUBJECT: HOLTEC INTERNATIONAL'S APPLICATION FOR SPECIFIC INDEPENDENT SPENT FUEL STORAGE INSTALLATION LICENSE FOR THE HI-STORE CONSOLIDATED INTERIM STORAGE FACILITY FOR SPENT NUCLEAR FUEL – SAFETY REVIEW DELAY AND DISCUSSION OF ISSUES

Dear Ms. Manzione:

By letter dated March 30, 2017 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML17115A431), as supplemented on April 13 (ML17109A386), October 6 (ML17310A218), December 21 (ML17362A097) and 22 (ML18011A158), 2017; February 23 (ML18058A617), May 24 (ML18150A319), July 27 (ML18213A206), November 30 (ML18345A153), 2018; January 31 (ML19037A280), March 15 (ML19081A083) and 30 (two submissions, ML19094A271 and ML19106A183), May 13 (ML19143A268) and 16 (ML19143A319), and August 26 (ML19248C140), 2019; March 3 (ML20065H155), June 1 (two submissions, ML20153A783 and ML20153A777), July 17 (ML20198M638), September 16 (ML20260H139), October 9 (two submissions, ML20283A789 and ML20290A505), and November 20 (ML20326A005), 2020; and January 4, 2021 (ML21004A241), Holtec International (Holtec) submitted to the U.S. Nuclear Regulatory Commission (NRC) an application for a specific independent spent fuel storage installation license to construct and operate the HI-STORE Consolidated Interim Storage (CIS) Facility, in Lea County, New Mexico, in accordance with the requirements of Part 72 of Title 10 of the *Code of Federal Regulations* (10 CFR 72), "Licensing Requirements for the Independent Storage of Spent Nuclear Fuel, High-Level Radioactive Waste and Reactor-Related Greater than Class C Waste." The license application seeks NRC approval to store up to 8,680 metric tons of commercial spent nuclear fuel in the HI-STORM UMAX Canister Storage System for a 40-year license term.

On September 22, 2020, the NRC staff revised the schedule for the completion of the safety, security, and environmental reviews (ML20267A102). In its letter, the NRC staff communicated that it expected to complete the safety and security review and a final safety evaluation report (SER) by May 2021. However, the schedule assumed that Holtec would provide timely and high-quality responses to all outstanding requests for additional information (RAIs) by November 2020, and that no follow-up RAIs would be necessary. If additional RAIs were necessary, the staff would revise its schedule accordingly.

The NRC staff has reviewed your responses to the staff's Part 5 RAIs, submitted on September 16, and the responses to the staff's Part 6 RAIs, submitted on October 9 and November 20, 2020, and January 4, 2021, and determined that many of these responses do not provide

enough information for staff to complete its detailed review and make the required regulatory compliance findings. Accordingly, the staff will not be able to complete its safety and security review and publish a final SER in May 2021.

The staff has identified multiple RAIs that remain unanswered or incomplete in several different technical review areas and disciplines. The staff has identified that the following areas will require the most substantive supplementation: 1) analyses and calculations of soil bearing capacity and soil settlement; 2) site flooding hazards analyses; 3) analysis of aircraft crash hazards; 3) building design specifications and hazards analyses for the proposed Canister Transfer Building (CTB) structure and foundation; and 4) clarifications to the site's shielding, thermal, and aging management analyses.

Within the next month, the staff will issue a letter transmitting a second set of RAIs that will provide a detailed discussion of the remaining issues identified in each of your responses and restate the information that staff needs to complete its safety evaluation and compliance findings. In this letter, the staff will request that Holtec provide us, within two weeks of receipt, a proposed schedule for submitting responses to the staff's second RAI. The staff will not issue a revised schedule for the completion of its safety review, the publication of the final SER, and its final licensing decision until it receives Holtec's responses and determines that they are adequate.

The NRC staff has already held one clarification call with your staff to communicate our information needs and answer any questions you may have about these. We expect to schedule additional calls over the next few weeks to discuss the remaining items. In order to ensure your responses to the staff's second RAI are complete and adequately resolve the remaining issues, the staff strongly recommends Holtec staff meet with NRC to discuss the proposed answers prior to their submission.

If you have any questions regarding these matters, please contact Mr. Jose R. Cuadrado, Project Manager, at (301) 415-0606.

Sincerely,

John McKirgan, Chief
Storage and Transportation Licensing Branch
Division of Fuel Management
Office of Nuclear Material Safety
and Safeguards

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