

Liu, Tilda

From: Liu, Tilda
Sent: Friday, December 17, 2021 7:31 PM
To: angela.leek@idph.iowa.gov
Subject: State Consultation - Draft Environmental Assessment Regarding the Exemption Request for NextEra Energy Duane Arnold, LLC, Duane Arnold Energy Center ISFSI in Palo, Iowa
Attachments: NRC Duane Arnold Exemption Draft EA-FONSI (Draft for State).docx

To: Angela Leek, Bureau Chief
Bureau of Radiological Health
Iowa Department of Public Health
Lucas Office Bldg., 5th Floor
321 East 12th Street
Des Moines, IA 50319

Ms. Leek:

By letter dated October 21, 2021, as supplemented by letter dated December 10, 2021, NextEra Energy Duane Arnold, LLC (NEDA) submitted a one-time exemption request to the U.S. Nuclear Regulatory Commission (NRC) for the Duane Arnold Energy Center (DAEC) Independent Spent Fuel Storage Installation (ISFSI), in accordance with Title 10 of the *Code of Federal Regulations* (10 CFR) 72.7, "Specific exemptions," from the requirements of 10 CFR 72.212 (a)(2), (b)(2), 72.212(b)(3), 72.212(b)(4), 72.212(b)(5)(i), 72.212(b)(11), and 72.214. Specifically, the one-time exemption request would, if granted, permit a failed fuel can (FFC) and its contents at DAEC to exceed the limits specified in Table 1-1t in Appendix B of NRC Certificate of Compliance (CoC) No. 1004, Renewed Amendment No. 17. The CoC is the NRC-approved design for each dry storage cask system used for spent fuel storage.

As discussed in its October 21, 2021 exemption request, as supplemented on December 10, 2021, NEDA has identified a failed fuel assembly which weighs nominally 676 pounds. This failed fuel assembly must be stored in a modified FFC because of a bent bail handle extending beyond the perimeter of the dry shielded canister fuel compartment. When this failed fuel assembly is stored with the modified FFC, the total weight will exceed the physical parameter limit for failed fuel, specified in CoC No. 1004, Renewed Amendment No. 17, Appendix B, TS Table 1-1t, which states: "The total weight of each failed fuel can plus all its content shall be less than 705 lb." As a result, NEDA is requesting an exemption to load an FFC such that the FFC and its contents exceed the TS limit for DAEC ISFSI, specifically, up to 800 lbs.

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 NRC ADAMS Accession Numbers for the exemption request and supplemental information are ML21294A280 and ML21344A186, respectively.

As established in 10 CFR Part 51, the NRC regulation that implements the National Environmental Policy Act of 1969, as amended, the NRC staff 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. Based on the review to date, the NRC staff considers that there will be 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 as a result of exemption issuance. For these reasons, the NRC concludes in the draft EA that the 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 of your staff involved in the review and comment process. Please advise any comments to the NRC staff no later than January 14, 2022. Please feel free to 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 final issuance.

In advance, we thank you for your time and review. If you have any questions, please reach out to me via email at Tilda.Liu@nrc.gov or via telephone at 404-997-4730.

Sincerely,

Tilda Liu, Senior Project Manager

Storage and Transportation Licensing Branch

Division of Fuel Management

Office of Nuclear Material Safety and Safeguards

U.S. Nuclear Regulatory Commission