

Petition for Rulemaking (PRM-72-6)

Following the staff's proposal for a security rulemaking in SECY-07-0148, "Independent Spent Fuel Storage Installation Security Requirements for Radiological Sabotage," dated August 28, 2007, the U.S. Nuclear Regulatory Commission (NRC) received a petition for rulemaking (PRM) dated November 24, 2008 (Agencywide Documents Access and Management System Accession No. [ML083470148](#)), filed by Ms. Sandra Gavutis, Executive Director of C-10 Research and Education Foundation, Inc. The NRC docketed the petition, which included several requests related to upgrading interim dry cask storage requirements, as PRM-72-6 and noticed it in the *Federal Register* for public comment on March 3, 2009 (74 FR 9178). In a *Federal Register* notice dated October 16, 2012 (77 FR 63254), the NRC stated that it would consider Request 11 as part of the rulemaking process for security requirements for independent spent fuel storage installations (ISFSIs). Request 11 of the PRM asked (in part) that the NRC amend its regulations to require the following:

Require Hardened On-Site Storage (HOSS) at all nuclear power plants as well as away-from-reactor dry cask storage sites: that all nuclear industry interim on-site or off-site dry cask storage installations or ISFSIs be fortified against attack. In addition all sites should be safeguarded against accident and age-related leakage.

The staff's recommendation in SECY-19-0100, "Discontinuation of Rulemaking—Independent Spent Fuel Storage Installation Security Requirements," dated October 9, 2019 ([ML19172A301](#)), to discontinue the ISFSI security rulemaking included a recommendation, which the Commission did not approve, to deny Request 11 of PRM-72-6. The staff has determined that, in evaluating how to address Request 11 of the PRM, it should consider the direction the Commission will provide in response to this paper. Therefore, the staff will communicate its determination on Request 11 to the Commission after receiving the Commission's direction. This paper includes a commitment to this effect.