

20 CONCLUSIONS

The staff has reviewed the design, testing, operations, maintenance and other safety-related activities and features for the Private Fuel Storage Facility, as described in the following documents submitted by the applicant:

- the License Application, which contains general and financial information, the applicant's technical qualifications, technical specifications, and a preliminary decommissioning plan;
- the Safety Analysis Report for the Private Fuel Storage Facility;
- the Emergency Plan for the Private Fuel Storage Facility; and
- the Security Plan for the Private Fuel Storage Facility, which includes the safeguards contingency plan.

Based on the information provided in the above documents, the conditions specified in the proposed Technical Specifications and the license conditions identified in this SER, and the use of the HI-STORM 100 Cask System as described in the HI-STORM 100 Cask System Final Safety Analysis Report and Certificate of Compliance No. 1014, Amendment 0, the staff concludes that the Private Fuel Storage Facility meets the requirements of 10 CFR Part 72. Pursuant to 10 CFR 72.40(a), the staff has made the following findings:

- 10 CFR 72.40(a)(1) - Based on the evaluation throughout this SER, the staff finds that the applicant's proposed ISFSI design complies with Subpart F of 10 CFR Part 72.
- 10 CFR 72.40(a)(2) - Based on the evaluation in Chapters 2, 4, 5, and 15 of this SER, the staff finds that the proposed site complies with the criteria in Subpart E of 10 CFR Part 72.
- 10 CFR 72.40(a)(3) - This condition does not apply because the proposed ISFSI is not located on the site of a nuclear power plant or other licensed activity or facility.
- 10 CFR 72.40(a)(4) - Based on the evaluation in Chapter 10 of this SER, the staff has made the finding that applicant is qualified by reason of training and experience to conduct the operation covered by the regulations in this part.
- 10 CFR 72.40(a)(5) - Based on the evaluation in Chapter 3 of this SER, the staff finds that the applicant's description of its proposed operating procedures to protect health and to minimize danger to life or property are adequate.
- 10 CFR 72.40(a)(6) - Based on the evaluation in Chapter 17 of this SER, the staff finds that the applicant for the ISFSI is financially qualified to engage in the proposed activities in accordance with the regulations in this part.

- 10 CFR 72.40(a)(7) - Based on the evaluation in Chapter 12 of this SER, the staff finds that the applicant's quality assurance plan complies with Subpart G of 10 CFR Part 72.
- 10 CFR 72.40(a)(8) - Based on the evaluation in Chapter 18 of this SER, the staff finds that the applicant's physical protection provisions comply with Subpart H of 10 CFR Part 72.
- 10 CFR 72.40(a)(9) - Based on the evaluation in Chapter 10 of this SER, the staff finds that the applicant's personnel training program complies with Subpart I of 10 CFR Part 72.
- 10 CFR 72.40(a)(10) - Based on the evaluation in Chapter 13 of this SER, the staff finds that the applicant's preliminary decommissioning plan, pursuant to 10 CFR 72.30, provides reasonable assurance that decontamination and decommissioning of the ISFSI at the end of its useful life will provide adequate protection to the health and safety of the public.
- 10 CFR 72.40(a)(11) - Based on the evaluation in Chapter 16 of this SER, the staff finds that the applicant's emergency plan complies with 10 CFR 72.32.
- 10 CFR 72.40(a)(12) - This regulatory requirement is outside the scope of this SER. The applicable review fees, which have been assessed in accordance with 10 CFR Part 170, must be paid before a license is issued.
- 10 CFR 72.40(a)(13) - Based on the evaluation throughout this SER, the staff finds that there is reasonable assurance that: (i) The activities authorized by the license can be conducted without endangering the health and safety of the public and (ii) these activities will be conducted in compliance with the applicable regulations of Chapter 10 of the Code of Federal Regulations.
- 10 CFR 72.40(a)(14) - Based on the evaluation in Chapter 18 of this SER, the staff finds that the issuance of a license for the Private Fuel Storage Facility will not be inimical to the common defense and security.