

LICENSE FOR INDEPENDENT STORAGE OF SPENT NUCLEAR FUEL AND HIGH-LEVEL RADIOACTIVE WASTE

Pursuant to the Atomic Energy Act of 1954, as amended, the Energy Reorganization Act of 1974 (Public Law 93-438), and Title 10, Code of Federal Regulations, Chapter 1, Part 72, and in reliance on statements and representations heretofore made by the licensee, a license is hereby issued authorizing the licensee to receive, acquire, and possess the power reactor spent fuel and other radioactive materials associated with spent fuel storage designated below; to use such material for the purpose(s) and at the place(s) designated below; and to deliver or transfer such material to persons authorized to receive it in accordance with the regulations of the applicable Part(s). This license shall be deemed to contain the conditions specified in Section 183 of the Atomic Energy Act of 1954, as amended, and is subject to all applicable rules, regulations, and orders of the Nuclear Regulatory Commission now or hereafter in effect and to any conditions specified herein.

Licensee	
1. United States Department of Energy	3. License No. SNM-2512 Amendment No. 1
2. U. S. Department of Energy Idaho Operations Office 1955 Fremont Avenue	4. Expiration Date November 30, 2024 5. Docket or Reference No. 72-25

6. Byproduct, Source, and/or Special Nuclear Material
7. Chemical or Physical Form
8. Maximum Amount That Licensee May Possess at Any One Time Under This License
- A. Spent nuclear fuel elements from the Peach Bottom Unit 1 reactor and various TRIGA reactors, reflector modules and rods from the Shippingport reactor, and associated radioactive materials and components related to their receipt, transfer and storage.
- A. Spent fuel elements from the Peach Bottom Unit 1 reactor, as UC and ThC.TRIGA spent fuel elements as uranium-zirconium hydride alloy with aluminum or stainless steel clad. Shippingport reflector modules and rods as ThO₂ with zircaloy-4 clad.
- A. 2.95 metric tons of heavy metal (MTHM) for the Peach Bottom Unit 1 spent fuel elements; 18.95 MTHM for the Shippingport reflector modules and rods; 0.32 MTHM for the TRIGA spent fuel elements.
9. Authorized Use: The material identified in 6.A. and 7.A. above is authorized for receipt, possession, storage and transfer in the Idaho Spent Fuel Facility, as described in the Idaho Spent Fuel Facility Safety Analysis Report dated November 19, 2001, as revised or supplemented on November 8, 2002, March 28, 2003, November 14, 2003, May 30, 2008, and June 8, 2009, and as further supplemented and amended in accordance with 10 CFR 72.70 and 10 CFR 72.48.
10. Authorized Place of Use: The licensed material is to be received, possessed, transferred and stored at the Idaho Spent Fuel Facility, located at the Idaho National Laboratory in Butte County, Idaho.
11. The Technical Specifications contained in the Appendix attached hereto are incorporated into the license. The licensee shall operate the installation in accordance with the Technical Specifications in the Appendix. The Appendix contains Technical Specifications related to environmental protection to satisfy the requirements of 10 CFR 72.44(d)(2).
12. The licensee shall follow the physical protection plan entitled, "Idaho Spent Fuel Facility Physical Protection Plan," dated November 19, 2001, as revised November 10, 2003 and May 30, 2008, and as it may be further amended under the provisions of 10 CFR 72.44(e) and 10 CFR 72.186.

NRC FORM 588A (10-2000) 10 CFR 72	U. S. NUCLEAR REGULATORY COMMISSION				
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13. The licensee shall follow the approved Idaho Spent Fuel Facility Quality Assurance Plan (DOE/RW-0333P, Revision 10, dated April 28, 2000). Changes to the plan are subject to Commission approval in accordance with 10 CFR Part 72, Subpart G.
14. The licensee shall follow the Idaho Spent Fuel Facility Emergency Plan dated November 19, 2001, as revised or supplemented on March 28, 2003, November 14, 2003, May 30, 2008, and as further supplemented and revised in accordance with 10 CFR 72.44(f).
15. Pursuant to 10 CFR 72.7, the licensee is hereby exempted from the provisions of 10 CFR 72.102(f)(1) regarding the seismic design criteria of 10 CFR Part 100, Appendix A. The exemption to 10 CFR 72.102(f)(1) allows the licensee to use a Probabilistic Seismic Hazards Analysis methodology to calculate the design earthquake values to be used in the facility design.
16. The licensee shall be responsible for requesting, through the budget process, the necessary funds from the United States Congress for the decommissioning of the ISF Facility, to ensure compliance under this license for the operations and decommissioning of the ISF Facility. The licensee shall promptly notify NRC, in writing, of any anticipated or forecasted budget shortfalls, as soon as they are known, along with a plan, if necessary, detailing specific measures that will be taken by the licensee to obtain the funding and/or prevent adverse impacts on the ISF Facility operations. The licensee shall provide to NRC an updated estimate of the operations, maintenance, security and decommissioning costs at a minimum of every 5 years; or in a timely manner whenever these costs are significantly impacted (such as a change in storage capacity, imposition of additional security requirements, etc.).
17. For the duration of the license, the licensee shall inform the Director, NMSS, at least 90 days in advance, of the replacement of the entity contracted by DOE to perform the management and operation (the Contractor) of the Idaho Spent Fuel Facility. Within 180 days after the replacement of the Contractor, the licensee shall assess the performance of the Contractor and provide a statement to the NRC verifying that the replacement of the Contractor has had no effect on the execution of licensed responsibilities for the Idaho Spent Fuel Facility.
18. This license is effective as of the date of issuance shown below.

FOR THE U.S. NUCLEAR REGULATORY COMMISSION

/RA/

Eric J. Benner, Chief
 Licensing Branch
 Division of Spent Fuel Storage and Transportation
 Office of Nuclear Material Safety
 and Safeguards
 Washington, DC 20555

Date of Issuance: September 9, 2009

Attachment: Appendix - Technical Specifications