



# **Applicability, Compatibility, and Consistency of Spent Fuel Storage Requirements and Guidance for Specific Licensees, General Licensees, and Certificate of Compliance Holders**

Kristina Banovac

Meeting to Obtain Stakeholder Feedback on Enhancements  
to the Licensing and Inspection Programs for  
Spent Fuel Storage and Transportation

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# Background

- 10 CFR Part 72 modified over time to establish requirements for:
  - Specific license (SL) for storage in an Independent Spent Fuel Storage Installation (ISFSI)
  - General license (GL) for storage in an ISFSI
  - Certificate of Compliance (CoC) for spent fuel storage cask designs, for use by GL
  - Dry and wet modes of storage
- 10 CFR 72.13 (“Applicability”) identifies which requirements apply to SLs, GLs, and CoCs

## **Background (cont.)**

- 10 CFR Part 72, Subpart K provides a general license for storage of spent fuel in an ISFSI, to persons authorized to possess or operate a reactor under 10 CFR Part 50 or Part 52
- Certain requirements for spent fuel storage in a generally-licensed ISFSI are based in Part 50

## Issue Description

- Questions regarding applicability and consistency of requirements, as various licensing and certification requirements related to spent fuel storage are set forth in Part 72 and Part 50
- Issues re: Part 72/50 interface, in terms of implementation of GL and CoC requirements, particularly during cask loading and handling in a Part 50 facility

## Issue Description (cont.)

- Staff will review requirements in Parts 72 and 50 and guidance to identify efficiency and effectiveness improvements to the current framework to ensure:
  - Clear and consistent requirements for SLs, GLs, and CoCs
  - Effective implementation of the regulatory framework

# Considerations

- Consider further alignment of requirements for SLs, GLs, and CoCs
  - Review §72.13 to assure appropriate mapping of requirements
  - Consider revision of specific regulations to enhance consistency in similar specific and general licensing requirements
  - Consider restructuring Part 72 to group regulations according to type of license or facility, dry cask design requirements, or requirements applicable to wet modes of storage; consider potential burden on NRC and stakeholders

## Considerations (cont.)

- Consider clarification of requirements, e.g.:
  - §72.212(a)(3) – clarify language regarding commencement of the GL
  - §72.218 – add cross-reference to §72.218 in §§ 50.54(bb), 50.82, and 52.110
  - §72.248(a) – clarify applicability of the requirement (to submit Final Safety Analysis Report within 90 days of cask design approval) to CoC amendments

## **Considerations (cont.)**

- Consider developing guidance or updating existing guidance to address:
  - Scope of storage cask certification and its supporting analyses versus how Part 50 programs are relied upon
  - Applicability of Part 72 requirements inside Part 50 facilities
  - Explanation of general license framework and process
  - Considerations unique to generally-licensed ISFSIs at shutdown or decommissioned reactor sites



# Conclusion

- Opportunity to clarify the regulatory framework to ensure effective implementation, by:
  - Further aligning requirements for SLs, GLs, and CoCs
  - Clarifying specific requirements
  - Developing or updating guidance to address questions or issues



# Contact

Kristina Banovac

[kristina.banovac@nrc.gov](mailto:kristina.banovac@nrc.gov)

301-492-3571