

June 20, 2016

Ms. Sandra Gavutis, Executive Director  
C-10 Research and  
Education Foundation, Inc.  
44 Merrimac Street  
Newburyport, MA 01950

Dear Ms. Gavutis:

I am writing regarding the petition that you submitted to the U.S. Nuclear Regulatory Commission (NRC), dated November 24, 2008 (Accession No. ML083470148 in the NRC's Agencywide Documents Access and Management System). By letter dated October 10, 2012, you were informed that your petition would be considered in part, denied in part, and reserved in part for future determination. We stated that your Request 11 would be considered by the NRC as part of the ongoing independent spent fuel storage installation security rulemaking effort (RIN 3150-A178; Docket ID NRC-2009-0558).

There were two remaining requests in your petition that the NRC reserved for future rulemaking determination:

Request 4: Require that dry casks are qualified for transport at the time of onsite storage approval certification, and

Request 9: Require a safe and secure hot cell transfer station coupled with an auxiliary pool to be built as part of an upgraded independent spent fuel storage installation design certification and licensing process.

The NRC has completed its evaluation of these two remaining requests. For the reasons stated in the enclosed *Federal Register* notice, Requests 4 and 9 are being denied. After the NRC's initial review of the petition, the NRC staff continued work on its ongoing analysis of (1) spent fuel storage and transportation compatibility, (2) regulatory changes that might be necessary to continue safe storage of fuel in casks beyond the initial storage period over multiple renewal periods, (3) the behavior of high burnup fuel during extended storage periods, and (4) regulation of stand-alone independent spent fuel storage installations. Based on the results of these evaluations and research related to spent fuel storage, the NRC has determined that the current regulatory requirements are adequate to protect public health and safety.

S. Gavutis

- 2 -

Further information about Request 11 is available at <http://www.regulations.gov> by searching Docket ID NRC-2009-0558. The docket for the petition for rulemaking, PRM-72-6, is now considered closed by the NRC.

If you have any questions regarding this matter, please contact Torre Taylor at 301-415-7900 or by email at [Torre.Taylor@nrc.gov](mailto:Torre.Taylor@nrc.gov).

Sincerely,

*/RA/*

Annette L. Vietti-Cook

Enclosure:  
*Federal Register* notice