



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

October 2, 2020

SECRETARY

Mr. Rod McCullum
Nuclear Energy Institute
1201 F Street NW, Suite 1100
Washington, DC 20004-1218

SUBJECT: WITHDRAWAL OF PETITION FOR RULEMAKING AND DISCONTINUATION
OF RULEMAKING (10 CFR PART 72, DOCKET NOS. NRC-2012-0266 AND
NRC-2014-0067)

Dear Mr. McCullum:

I am responding to your request to withdraw the petition for rulemaking (PRM) that was submitted by Mr. Anthony R. Pietrangelo on behalf of the Nuclear Energy Institute (NEI) to the U.S. Nuclear Regulatory Commission (NRC) dated October 3, 2012 (Agencywide Documents Access and Management System (ADAMS), Accession No. ML12299A380). The petition requested that the NRC add a new rule governing spent fuel storage cask certificate of compliance (CoC) format and content and make other changes to NRC oversight of dry cask storage activities. The NRC docketed the petition as PRM-72-7.

After review, the NRC determined that the six issues raised in PRM-72-7 were appropriate for consideration in the rulemaking process. The NRC published a notice of acceptance of the petition, "Spent Fuel Cask Certificate of Compliance Format and Content" (Docket ID NRC-2014-0067), in the *Federal Register* on July 18, 2014 (79 FR 41935). In a letter dated January 8, 2020, the NRC endorsed the graded approach criteria (ADAMS Accession No. ML19353D337 (package)), which addresses the main issue raised in the petition about the format and content of spent fuel storage CoCs. The NRC concluded, and NEI separately confirmed, that rulemaking is not cost-justified for the remaining issues regarding NRC oversight of dry cask storage activities identified in the petition.

On February 25, 2020, you requested to withdraw the petition (ADAMS Accession No. ML20058B100). The enclosed *Federal Register* notice describes the reasoning for the withdrawal of the petition and the discontinuation of the associated rulemaking.

Sincerely,

Annette L. Vietti-Cook
Secretary of the Commission

Enclosure:
Federal Register notice