
WEBINAR AND TELECONFERENCE GUIDELINES

- Please email Marlone Davis (Marlone.Davis@nrc.gov) or send a WebEx chat message to register your attendance.
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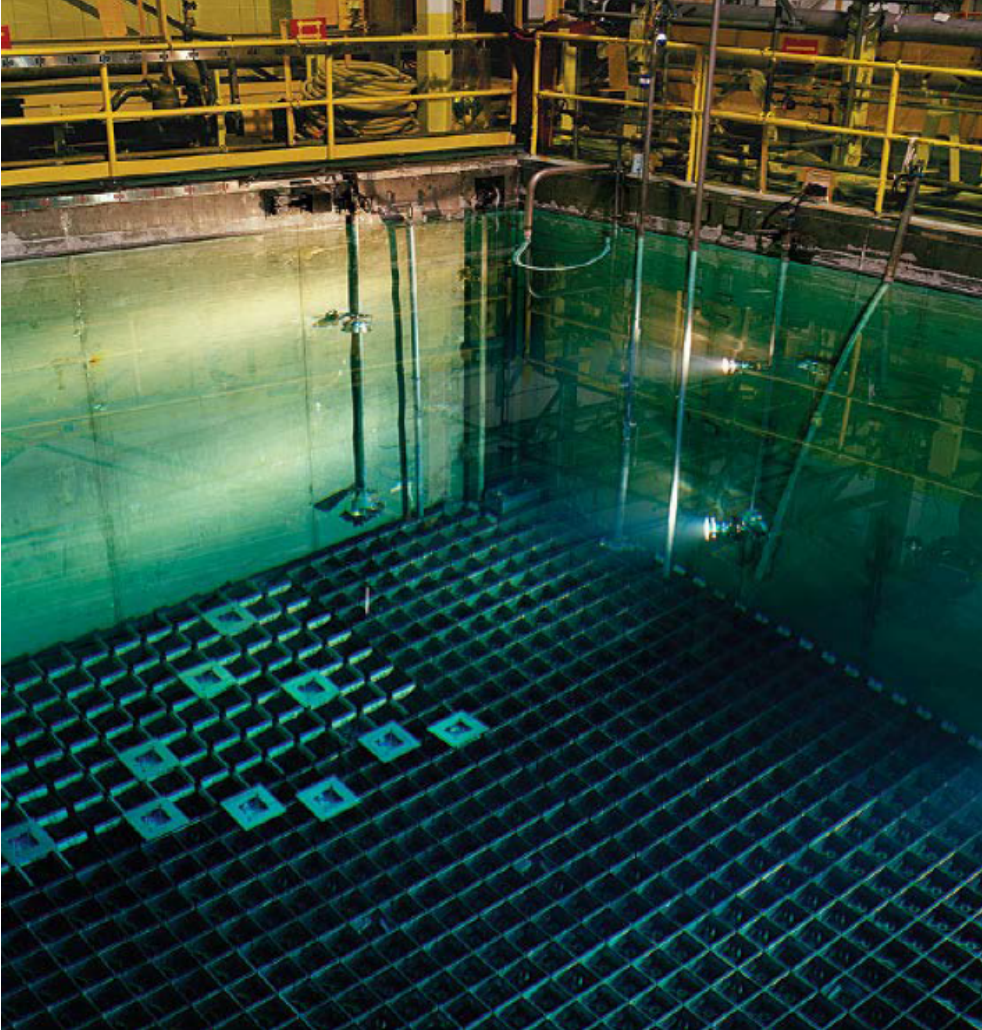
AGENDA FOR THE PUBLIC MEETING

TIME (EST)	TOPIC	SPEAKER
1:00 PM	Introduction	NRC
1:05 PM	Opening Remarks	NRC
1:15 PM	Workshop Presentation	NRC
2:00 PM	Open Discussion Questions and Comments	NRC/Public
4:00 PM	Adjourn	

Guidance for Implementation of 10 CFR 72.48 Requirements Workshop

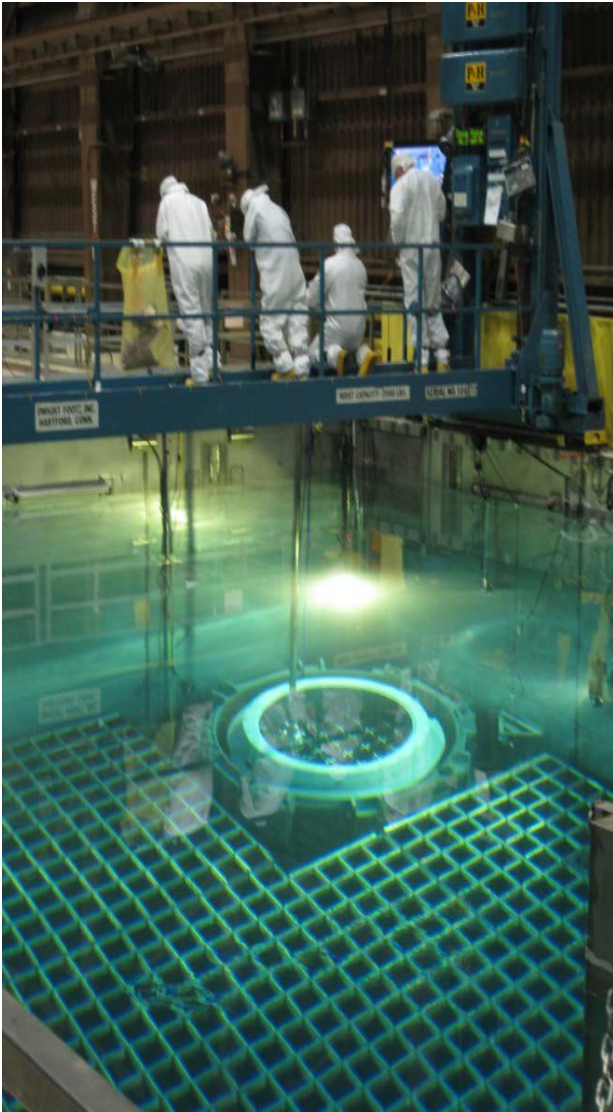


**Marlone Davis, Sr. Storage and Transportation Safety Inspector
U.S. NRC Office of Nuclear Material Safety and Safeguards
Division of Fuel Management**



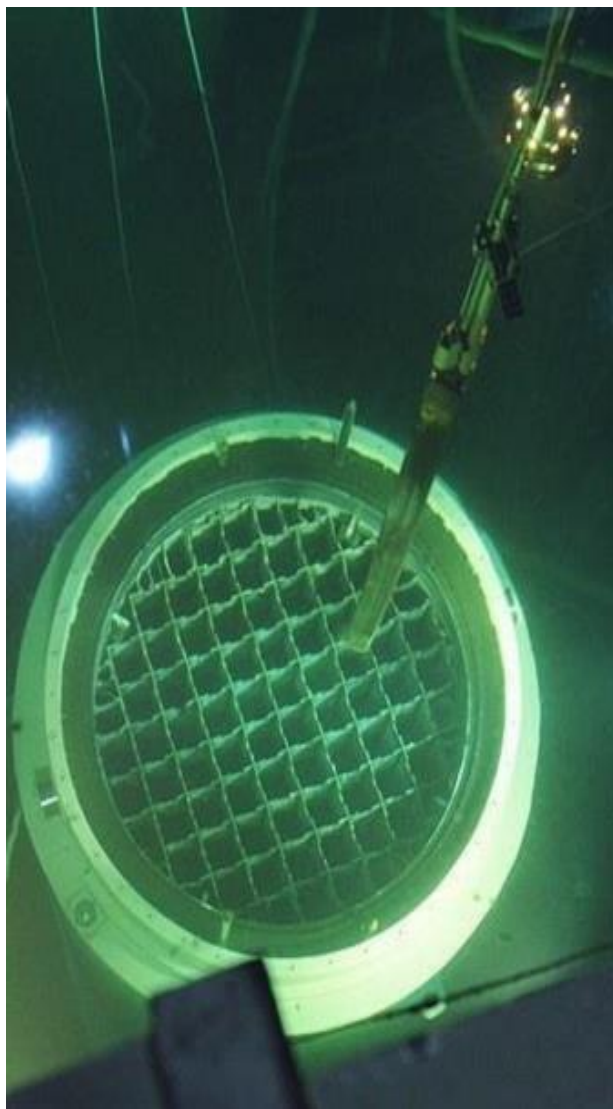
CONTENT

- ▶ Introduction
- ▶ Background
- ▶ Overview
- ▶ Summary
- ▶ Open Discussion



INTRODUCTION

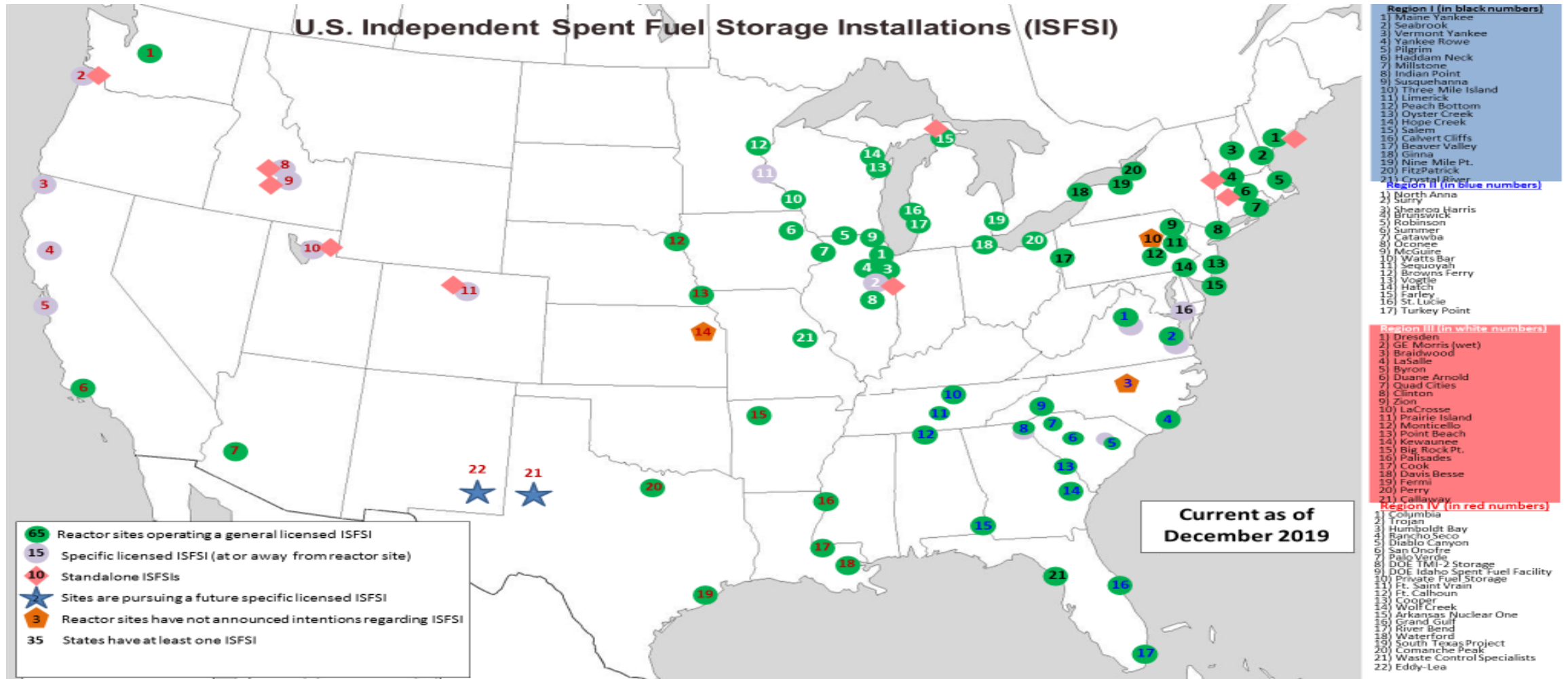
- The purpose of this workshop is to discuss the proposed revision to Regulatory Guide (RG) 3.72, “Guidance for Implementation of 10 CFR 72.48, Changes, Tests, and Experiments,” for endorsement of Nuclear Energy Institute (NEI) 12-04, “Guidelines for 10 CFR 72.48 Implementation,” Revision 2, dated September 2018.
- Topics at this workshop will include but not limited to discussions on the departure from method of evaluations, relationship between 10 CFR 72.48 and 10 CFR 72.212 evaluation reports and applying 10 CFR 72.48 to nonconforming or degraded conditions.



BACKGROUND

- A notice published in the Federal Register (FR), on June 2, 2020 (85 FR 33582), announced the availability of the NRC's draft regulatory guide (DG)-3054 and provided instructions for submitting written comments. (www.federalregister.gov)
- The DG is a proposed revision 1 to regulatory guide (RG) 3.72, "Guidance for Implementation of 10 CFR 72.48, Changes, Tests, and Experiments."
- The comment period closes on August 3, 2020, following a 60-day period. (www.regulations.gov)

BACKGROUND



BACKGROUND

Certificate of Compliance (CoC) Holders: with NRC-Approved Designs



NAC International



Holtec
International



Orano
Transnuclear (TN)
Americas



Westinghouse
Electric Company

OVERVIEW RG 3.72, REVISION 1

U.S. NUCLEAR REGULATORY COMMISSION



DRAFT REGULATORY GUIDE DG-3054

Proposed Revision 1 to Regulatory Guide RG 3.72

Issue Date: May 2020
Technical Lead: Marlene Davis

GUIDANCE FOR IMPLEMENTATION OF 10 CFR 72.48, “CHANGES, TESTS, AND EXPERIMENTS”

A. INTRODUCTION

Purpose

This Regulatory Guide (RG) describes an approach that is acceptable to the staff of the U.S. Nuclear Regulatory Commission (NRC) to meet the regulatory requirements of 10 CFR 72.48 “Changes Tests, and experiments” (Ref. 1). Specifically, this RG provides guidance for addressing changes under 10 CFR 72.48 that affect an independent spent fuel storage installation (ISFSI), a spent fuel storage (SFS) cask design, and a Monitored Retrievable Storage (MRS) facility.

Applicability

This RG applies to Certificate of Compliance (CoC) holders and specific and general licensees subject to Title 10 of the *Code of Federal Regulations* (10 CFR), Part 72 “Licensing Requirements for the Independent Storage of Spent Nuclear Fuel, High-Level Radioactive Waste, and Reactor-Related Greater Than Class C Waste,” Part 72, Chapter 1, Title 10, “Energy” (Ref. 2).

Applicable Regulations

- 10 CFR Part 72, “Licensing Requirements for the Independent Storage of Spent Nuclear Fuel, High-Level Radioactive Waste, and Reactor-Related Greater Than Class C Waste,” provides requirements, procedures, and criteria for the issuance of licenses to receive, transfer, and possess power reactor spent fuel, power reactor-related Greater than Class C (GTCC) waste, and other radioactive materials associated with spent fuel storage in an independent spent fuel storage installation (ISFSI) and the terms and conditions under which the Commission will issue these licenses.
 - 10 CFR 72.48, “Changes, tests, and experiments,” describes the process under which licensees and CoC holders may make changes to an ISFSI facility, a spent fuel storage cask

This RG is being issued in draft form to involve the public in the development of regulatory guidance in this area. It has not received final staff review or approval and does not represent an NRC final staff position. Public comments are being solicited on this DG and its associated regulatory analysis. Comments should be accompanied by appropriate supporting data. Comments may be submitted through the Federal rulemaking Web site, <http://www.regulations.gov>, by searching for draft regulatory guide DG-XXXX. Alternatively, comments may be submitted to the Office of Administration, Mailstop: TWPN 7A-06M, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, ATTN: Program Management, Announcements and Editing Staff. Comments must be submitted by the date indicated in the *Federal Register* notice.

Electronic copies of this DG, previous versions of DGs, and other recently issued guides are available through the NRC’s public Web site under the Regulatory Guides document collection of the NRC Library at <https://nrcweb.nrc.gov/reading-rm/doc-collections/reg-guides/>. The DG is also available through the NRC’s Agencywide Documents Access and Management System (ADAMS) at <http://www.nrc.gov/reading-rm/adams.html> under Accession No. ML19269B763. The regulatory analysis may be found in ADAMS under Accession No. ML19269B764.

- Endorses NEI 12-04, “Guidelines for 10 CFR 72.48 Implementation,” Revision 2, dated September 2018.
- Provides guidance on which changes are permissible without prior NRC review and approval,
- Brings consistency to the guidance for 10 CFR 72.48 and 10 CFR 50.59, and
- Increases regulatory effectiveness and efficiency by potentially reducing the number of amendment requests from specific licensees and certificate holders.

OVERVIEW RG 3.72, REVISION 1

U.S. NUCLEAR REGULATORY COMMISSION

DRAFT REGULATORY GUIDE DG-3054

Proposed Revision 1 to Regulatory Guide RG 3.72



Issue Date: May 2020
Technical Lead: Marlone Davis

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- Changes the NRC's guidance on departures from a method of evaluation (MOE) and the NRC’s approval of MOEs.
- Exception to the language in NEI-12-04 (3)
 1. Departure from MOEs
 2. Uncertainty in MOEs
 3. Accident of a different type
- Clarification for Renewed License or CoC (1)
 1. Guidance for Final Safety Analysis Report (FSAR) Supplements for License Renewal

OVERVIEW: METHOD OF EVALUATION



- Method of evaluation means the calculational framework used for evaluating behavior or response of the ISFSI facility, cask design, or a structure, system, and component (e.g., Tipover and end drop, thermal, shielding, and criticality analyses) .
- $2 + 1 = 3$ (where 3 is the resulting value credited in the licensing and design bases)
- **Input Parameters** of the MOE
- **Elements** of the MOE

OVERVIEW: METHOD OF EVALUATION



Departure from an MOE

1. Changing any of the elements of the method described in the FSAR (i.e. same method) unless the results of the analysis are conservative or essentially the same; or
2. Changing from a method described in the FSAR to another method unless that method has been **approved by the NRC for the intended application.**

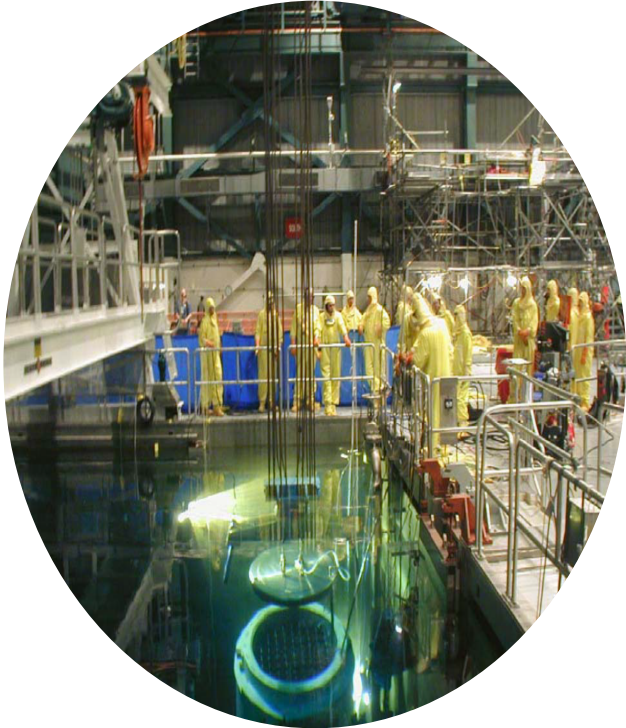
OVERVIEW: METHOD OF EVALUATION



Changes for Revision 1 of RG 3.72

1. Explains that “**approved by NRC for the intended application**” can mean approved for the type of analysis being conducted across cask systems and amendments for a single vendor/design authority.
2. Accordingly, when the NRC approves a CoC application or amendment, which describes and analyzes an MOE in the FSAR (as updated), the NRC is approving the MOE.
3. The approval of an MOE may be used to support the use of that MOE in another cask system in a separate licensing action, when the MOE is used for the same type of analysis and is within a single vendor/design authority.

OVERVIEW 10 CFR 72.48 and 72.212 REPORT



- Incorporated the NRC's Regulatory Issue Summary (RIS) 2012-05, "Clarifying the Relationship between 10 CFR 72.212 and 10 CFR 72.48 Evaluations," into the guidance document.
- Evaluate the conditions that are not bounded by the FSAR under 10 CFR 72.48
- 10 CFR 72.212(b)(7) requires the general licensee to evaluate any changes to written evaluations required by paragraphs (b)5 and (b)(6) of 10 CFR 72.212, using the requirements of 10 CFR 72.48

OVERVIEW APPLYING 10 CFR 72.48 TO NONCONFORMANCE OR DEGRADED CONDITIONS

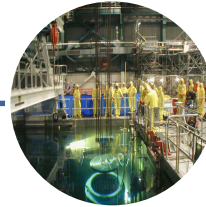


- If an interim compensatory action is taken to address the condition and involves a temporary procedure or ISFSI facility or cask design modification, 10 CFR 72.48 should be applied to the temporary procedure or modification.
- If the licensee or cask CoC holder corrective action is either to accept the condition “as-is” resulting in something different than its as-designed condition, or to modify the ISFSI facility, cask design, or procedures, 10 CFR 72.48 should be applied to the corrective action.



SUMMARY

Regulatory Guide 3.72



Comment Period closes on August 3, 2020



Method of Evaluation



10 CFR 72.48 and the 72.212 Report



Nonconforming or Degraded Conditions

SUMMARY

Milestones	Estimated Completion
Resolve comments from the public	August 2020
Update Regulatory Guide to include public comments	September 2020
Inter-agency Reviews of the Regulatory Guide	October 2020
Prepare and Publish Final Regulatory Guide	November – December 2020



OPEN DISCUSSION

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