



OFFICE OF THE  
INSPECTOR GENERAL

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

February 10, 2021

MEMORANDUM TO: Margaret M. Doane  
Executive Director for Operations

FROM: Dr. Brett M. Baker */RA/*  
Assistant Inspector General for Audit

SUBJECT: STATUS OF RECOMMENDATIONS: AUDIT OF NRC'S  
OVERSIGHT OF SPENT FUEL POOLS (OIG-15-A-06)

REFERENCE: ACTING DIRECTOR, OFFICE OF NUCLEAR REACTOR  
REGULATION (NRR), MEMORANDUM DATED  
FEBRUARY 3, 2021

Attached is the Office of the Inspector General's (OIG) analysis and status of recommendation 1 as discussed in the agency's response dated February 3, 2021. Based on this response, recommendation 1 remains open and resolved. Recommendations 2, 3, and 4 were previously closed. Please provide an updated status of the resolved recommendation by January 31, 2022.

If you have questions or concerns, please call me at (301) 415-5915, or Mike Blair, Team Leader, at (301) 415-8399.

Attachment: As stated

cc: C. Haney, OEDO  
J. Jolicoeur, OEDO  
S. Mroz, OEDO  
S. Miotla, OEDO  
RidsEdoMailCenter Resource  
OIG Liaison Resource  
EDO\_ACS Distribution

## Audit Report

### AUDIT OF NRC'S OVERSIGHT OF SPENT FUEL POOLS

OIG-15-A-06

#### Status of Recommendations

Recommendation 1: Provide a generic regulatory solution for spent fuel pool criticality analysis by developing and issuing detailed licensee guidance along with the NRC internal procedures.

Agency Response Dated  
February 3, 2021:

Planned Action:

Upon a satisfactory conclusion to the U.S. Nuclear Regulatory Commission's (NRC) review of Nuclear Energy Institute (NEI) report 12-16, incorporate this detailed guidance into the NRC internal processes through a regulatory guide (RG).

January 2021 Status Update:

NEI 12-16, Revision 4, "Guidance for Performing Criticality Analyses of Fuel Storage at Light-Water Reactor Power Plants," dated September 26, 2019, (Agencywide Documents Access and Management System (ADAMS) Accession No. ML19269E056) review was completed and a draft RG was issued for public comments. Public comments were dispositioned, and minor changes were made to the draft RG. The Office of Nuclear Regulatory Research, Division of Engineering (RES/DE) approved the revised draft RG and it was redesignated as Regulatory Guide 1.240, "Fresh and Spent Fuel Pool Criticality Analyses." Subsequently, RES/DE forwarded RG 1.240 to the Office of the General Counsel and Advisory Committee on Reactor Safeguards (ACRS). The ACRS Subcommittee on Metallurgy and Reactor Fuels has requested a briefing on RG 1.240. That briefing has been scheduled for March 3, 2021. Whether or not ACRS requests a presentation before the full committee and when that occurs will determine the final issuance date. The Office of Nuclear Reactor Regulation (NRR) staff estimates RG 1.240 will be issued by the end of calendar year 2021. Standard Review Plan (SRP) 9.1.1, Criticality Safety of Fresh and Spent Fuel Storage and Handling, has been reviewed, and it has been determined that no substantive changes are needed due to the development of RG 1.240.

## Audit Report

### AUDIT OF NRC'S OVERSIGHT OF SPENT FUEL POOLS

OIG-15-A-06

#### Status of Recommendations

Recommendation 1 (cont.):

To optimize resources and avoid duplicate work, the SRP update planned for this activity will be completed as part of NRR's SRP Modernization Effort. NRR will no longer be tracking this SRP update as part of the resolution of OIG-15-A-06 Recommendation 1.

CONTACT: Kent A. Wood, NRR/DSS  
(301) 415-4120

OIG Analysis:

The actions proposed by the agency meet the intent of the recommendation. This recommendation will be closed upon NRR's issuance of RG 1.240.

**Status:**

Open: Resolved.