



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

April 27, 2021

Adnan Khayyat
Illinois Emergency Management Agency
Division of Nuclear Safety
2200 S. Dirksen Parkway
Springfield, IL 62703

SUBJECT: REVIEW OF THE DRAFT ENVIRONMENTAL ASSESSMENT AND FINDING OF NO SIGNIFICANT IMPACT FOR THE MORRIS OPERATION DECOMMISSIONING FUNDING PLANS

Dear Mr. Khayyat:

By letter dated December 14, 2012 (Agencywide Documents Access and Management System [ADAMS] Accession No. ML12352A103), GE Hitachi Nuclear Energy (referred to as GEH) submitted an initial decommissioning funding plan (DFP) for the Morris Operation Independent Spent Fuel Storage Installation (ISFSI), located in Illinois, for U.S. Nuclear Regulatory Commission (NRC) staff review and approval. By letters dated December 11, 2015, December 14, 2018, and March 6, 2020 (ADAMS Accession Nos. ML15345A191, ML18348A614, and ML20066K270), GEH submitted updated DFPs, for NRC staff review and approval.

The NRC initially consulted with the Illinois Emergency Management Agency on August 17, 2017, via a letter (ADAMS Accession No. ML17226A160). Subsequent to that initial consultation, the NRC staff completed its review of the updated DFPs. The NRC staff is seeking your consultation on the initial and updated DFPs, as a combined review, for the Morris Operation ISFSI.

The NRC regulations at 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," govern the storage of spent nuclear fuel at an ISFSI. The NRC requires its licensees to plan for the eventual decommissioning of their licensed facilities prior to license termination. On June 17, 2011, the NRC published a final rule amending its decommissioning planning regulations (*76 Federal Register* (FR) 35512). The final rule amended the NRC regulation, 10 CFR 72.30, which concerns financial assurance and decommissioning for ISFSIs. This regulation now requires each holder of, or applicant for, a license under 10 CFR Part 72 to submit, for NRC review and approval, a DFP. The purpose of the DFP is to demonstrate the licensee's financial assurance (i.e., that funds will be available to decommission the ISFSI). The NRC staff is reviewing the information submitted by GEH. Specifically, the NRC must determine whether GEH's DFPs contain the information required by 10 CFR 72.30(b) and 10 CFR 72.30(c) and whether GEH has provided reasonable assurance that funds will be available to decommission the Morris Operation ISFSI.

Upon removal of the Enclosure,
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A. Khayyat

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In accordance with 10 CFR Part 51, the NRC regulations that implement the National Environmental Policy Act of 1969, as amended, the agency has prepared a draft environmental assessment (EA) for the Morris Operation ISFSI for the proposed action (enclosed). We are providing your office with the opportunity to review the draft EA and comment on environmental issues prior to the public issuance and publication of the EA. We request that you share the enclosed draft EA with other appropriate State officials, as needed. We request that distribution and use of the enclosed draft EA be limited only to those staff involved in the review and comment process.

Please submit any comments within 30 days from the date of this letter to the U.S. Nuclear Regulatory Commission, Document Control Desk, ATTN: John McKirgan, Mail Stop: TWFN 4B34, U.S. Nuclear Regulatory Commission, Washington, DC 20555. If you have any questions, please contact Kristina Banovac of my staff by telephone at 301-415-7116, or by e-mail at Kristina.Banovac@nrc.gov. The NRC staff will consider your timely comments and will revise the EA, as appropriate, before its final issuance and publication. Thank you for your assistance.

Sincerely,

John B. McKirgan, Chief
Storage and Transportation Licensing Branch
Division of Fuel Management
Office of Nuclear Material Safety
and Safeguards

Docket No.: 72-01
License No.: SNM-2500
EPID No.: L-2017-FPR-0044

Enclosure:
Draft Environmental Assessment

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ADAMS Accession Nos.: ML21110A163 (Pkg)

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*concurrence via email

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