



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

April 7, 2022

MEMORANDUM TO: Christopher Regan, Deputy Director  
Division of Fuel Management  
Office of Nuclear Material Safety  
and Safeguards

FROM: Bernard White, Senior Project Manager  
Storage and Transportation Licensing Branch  
Division of Fuel Management  
Office of Nuclear Material Safety  
and Safeguards

SUBJECT: SUMMARY OF FEBRUARY 24, 2022, MEETING WITH NAC  
INTERNATIONAL TO DISCUSS AMENDMENT NO. 12 TO THE  
MAGNASTOR® STORAGE SYSTEM

A handwritten signature in blue ink that reads "Bernard White".

Signed by White, Bern  
on 04/07/22

Background

On February 24, 2022, a virtual meeting was held, at the request of the NAC International (NAC) with the U.S. Nuclear Regulatory Commission (NRC) to discuss NAC's submittal for Amendment No. 12 to the Model No. MAGNASTOR® storage system. The list of meeting attendees is enclosed. There were no handouts used at the meeting.

On January 21, 2022 (Agencywide Documents Access and Management System [ADAMS] Accession No. ML22021B305), the NRC issued a Severity Level IV violation to NAC for performing an improper change to the safety analysis report (SAR) via the regulations in Title 10 of the *Code of Federal Regulations*, Section 72.48, "Changes, Tests, and Experiments." The violation identified that NAC failed to obtain an amendment to Certificate of Compliance No. 1031 for changes to the SAR to remove the requirements in American Concrete Institute (ACI) Specification ACI-318 "Building Code Requirements for Structural Concrete" for fabrication of the MAGNASTOR® concrete cask lid. Technical Specification A4.2, paragraph 3, in Amendment Nos. 0 – 9 requires that the "American Concrete Institute Specifications ACI-349 and ACI-318 govern the CONCRETE CASK design and construction, respectively."

By application dated January 24, 2022 (ADAMS Accession No. ML22024A374), NAC submitted an application for Amendment No. 12 to the Model No. MAGNASTOR® storage cask. In its request, NAC requested that NRC revise TS A4.2, paragraph 3 to reference the SAR, Table 1.3-4, "Concrete Cask Lid – Concrete Specification Summary," for construction of the concrete cask lid.

CONTACT: Bernard White, NMSS/DFM  
(301) 415-6577

## Discussion

NAC started the meeting providing a brief overview of the violation and its request for Amendment No. 12. Then NAC discussed how the violation affects MAGNASTOR® storage casks that are already loaded, currently being loaded, and will be loaded in the future (both near-term and long-term loadings). NAC stated it plans on submitting a request to revise Amendment Nos. 0 – 9 to incorporate the changes requested in Amendment 12 and expressed a desire to have these changes incorporated into Amendment Nos. 10<sup>1</sup> and 11<sup>2</sup>, which are under review by the NRC. While the revisions could ensure that all previously loaded storage casks are brought into compliance with the technical specifications, NAC stated that some licensees may also request an exemption. NAC also stated that fabrication of future lids would be covered by issuance of revisions to existing amendments, incorporation into Amendments 10 and 11, and issuance of Amendment No. 12.

The NRC provided a status of its reviews for MAGNASTOR® Amendment Nos. 10 and 11. NRC stated that the documentation to put Amendment No. 10 into the rulemaking is in concurrence, however, as requested by NAC, completion of the certification of Amendment 10 is on hold until NRC completes Amendment No. 12. NRC technical review of Amendment No. 11 is almost complete. The remaining portions of the safety evaluation report will be completed by the end of February. NAC also requested that the NRC not complete the documentation to place Amendment No. 11 into the rulemaking until completion of Amendment No. 12. The NRC cannot request that the *Federal Register* publish two different rulemaking requests on the same docket number, in two different rulemaking packages. The two rulemaking requests must either be bundled into a single rulemaking package or submit the second package after the first package is completely through rulemaking (i.e., rule is effective).

NAC stated licensees loading spent fuel storage casks in February and March are in compliance with the technical specifications of the current certificates for lid fabrication. Licensees that will be loading spent fuel in the summer will need an exemption to load that fuel as it cannot be determined that the storage cask lids that will be used meet the technical specification for existing certificate amendments.

Docket No. 72-1031

EPID No. L-2022-LLA-0016

Enclosure:

Meeting Attendees

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<sup>1</sup> See letter dated December 9, 2019 (ADAMS Accession No. ML19345E594), as supplemented on May 13, 2020 (ADAMS Accession No. ML20143A102), February 25, 2021 (ADAMS Package Accession No. ML21067A041), April 20, 2021 (ADAMS Accession No. ML21118A043), and September 2, 2021 (ADAMS Package Accession No. ML21251A529).

<sup>2</sup> See letter dated July 14, 2020 (ADAMS Package Accession No. ML20210M079), as supplemented on August 23, 2021 (ADAMS Accession No. ML21242A053).

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DOCUMENT DATE: April 7, 2022

**DISTRIBUTION:**

DFM r/f  
NRC Meeting Attendees  
D. Marcano, NMSS

**ADAMS** Accession No.: ML22082A135

<b>OFFICE</b>	NMSS/DFM	NMSS/DFM	NMSS/DFM
<b>NAME</b>	BWhite	WWheatley	YDiaz-Sanbria
<b>DATE</b>	3/24/22	3/24/22	4/6/22

MEETING ATTENDEES

Meeting Title: MEETING WITH NAC INTERNATIONAL TO DISCUSS AMENDMENT NO. 12 TO THE MAGNASTOR® STORAGE SYSTEM

Date: February 24, 2022

Location: Teleconference

<b>U.S. Nuclear Regulatory Commission Attendees</b>
Bernie White
Chris Bajwa
Jimmy Chang
Darrell Dunn
Eliezer Goldfeiz
Loren Howe
Yong Kim
Patrick Koch
Matthew Learn
Sujit Samaddar
Alexis Sotomayor-Rivera
Chris Sydnor
John Wise
<b>NAC International Attendees</b>
George Carver
Eric Shewbridge
Heath Baldner
Holger Pfeifer
Wren Fowler

<b>Members of the Public</b>
Carlyn Green
Bill Szymczak
Donald Buth
Chad Miltenberger
Nicole Edwards
Frank Helin
Lee Grzeck
Kimberly Hobbs
James Byrne
Matt Keene
Chris Long
Luke McIntyre
William Murphy
Neil Fales
Paul Plante
Daniel Sargis
Crain Smith
William Zipp

Summary of February 24, 2021, Meeting with NAC on MAGNASTOR Amendment 12 DATE April 7, 2022

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- LHowe, NMSS/DFM/MSB
- YKim, NMSS/DFM/MSB
- PKoch, NMSS/DFM/MSB
- MLearn, NMSS/DFM/IOB
- SSamaddar, NRR/DEX/ESEB
- ASotomayor-Rivera, NMSS/DFM/NARAB
- CSydnor, NRR/DNRL/NVIB
- JWise, NMSS/DFM/MSB

**ADAMS Accession No.: Memo ML22082A135**

OFFICE	NMSS/DFM/STLB	NMSS/DFM/STLB	NMSS/DFM/STLB	NMSS/DFM/STLB
NAME	BWhite <i>BW</i>	WWheatley <i>WW</i>	YDiaz-Sanabria <i>YD</i>	BWhite <i>BW</i>
DATE	Mar 24, 2022	Mar 24, 2022	Apr 6, 2022	Apr 7, 2022

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