



102-08436-CDH/KJG  
April 28, 2022

**Cary D. Harbor**  
Vice President  
Regulatory & Oversight

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Nuclear Generating Station**  
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ATTN: Document Control Desk  
Director, Division of Spent Fuel Management  
Office of Nuclear Material Safety and Safeguards  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555-0001

Subject: **Palo Verde Nuclear Generating Station  
Units 1, 2, and 3 and Independent Spent Fuel Storage Installation  
Docket Nos. STN 50-528/529/530 and 72-44  
Renewed Operating License Nos. NPF-41, NPF-51, NPF-74  
Request for Exemption from NAC-MAGNASTOR Certificate of Compliance  
72-1031 - Cask Lid Design Requirements - Supplement**

In accordance with the provisions of 10 CFR 72.7, *Specific Exemptions*, Arizona Public Service Company (APS) requested an exemption from the provisions of 10 CFR 72.212(a)(2), 72.212(b)(3), 72.212(b)(5)(i), 72.212(b)(11), and 10 CFR 72.214 for the Palo Verde Nuclear Generating Station (PVNGS) Independent Spent Fuel Storage Installation by letter number 102-08416, dated March 31, 2022 [Agencywide Documents Access and Management System (ADAMS) Accession Number ML22090A098]. Specifically, an exemption was requested for the cask lid concrete design requirements in the NAC-MAGNASTOR Certificate of Compliance (CoC).

The requested exemption would apply to NAC-MAGNASTOR dry casks, described in the exemption request Enclosure of letter number 102-08416, that are or will be used by APS at PVNGS under CoC Amendment 7 listed in 10 CFR 72.214 (72-1031). By letter dated April 18, 2022, NAC International, Inc., the certificate holder for the NAC-MAGNASTOR system, responded to an NRC staff request for additional information (RAI) regarding the proposed revisions to the various amendments to the CoC (ADAMS Accession Number ML22108A197).

The NAC RAI response included proposed changes to the Technical Specifications (TS) and forms the regulatory and technical basis for the exemption request in letter number 102-08416. The proposed TS changes listed in Enclosure 1 to the NAC RAI response are met by APS, based upon NAC letter dated April 25, 2022 (Letter number ED20220065). APS intends to implement Revision 1 to Amendment 7 of the CoC, when final rulemaking is completed.

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- Supplement

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No new commitments are being made in this submittal. If you have any questions about this request, please contact Matthew S. Cox, Licensing Section Leader, at (623) 393-5753.

Sincerely,

Harbor, Cary  
(Z16762)

Digitally signed by Harbor,  
Cary (Z16762)  
Date: 2022.04.28 16:14:19  
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cc: S. A. Morris NRC Region IV Regional Administrator  
S. P. Lingam NRC NRR Project Manager for PVNGS  
B. H. White NRC NMSS Project Manager  
L. N. Merker NRC Senior Resident Inspector for PVNGS  
B. D. Goretzki Arizona Department of Health Services – Bureau of Radiation  
Control