



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

December 14, 2022

Rodney McCullum
Senior Director
Nuclear Energy Institute
1201 F Street, NW, Suite 1100
Washington, DC 20004

SUBJECT: RESPONSE TO NOVEMBER 04, 2022, NUCLEAR ENERGY INSTITUTE
REQUEST FOR REVIEW AND ENDORSEMENT OF NEI 22-02, REVISION 2 –
GUIDELINES FOR WEATHER-RELATED ADMINISTRATIVE CONTROLS FOR
SHORT DURATION OUTDOOR DRY CASK STORAGE OPERATIONS

Dear Rodney McCullum:

By letter dated November 04, 2022 (Agencywide Documents Access and Management System [ADAMS] Accession No. ML22339A035), the Nuclear Energy Institute (NEI) submitted to the U.S. Nuclear Regulatory Commission (NRC) a request for review and endorsement of NEI 22-02, Revision 2 – “Guidelines for Weather-Related Administrative Controls for Short Duration Outdoor Dry Cask Storage Operations.” The NEI submittal responded to the NRC’s request for supplemental information, dated September 12, 2022 (ML22216A117). NEI states that NEI 22-02, Revision 2 will enable effective site-specific implementation of the guidance over the wide range of operational and weather conditions that may exist across industry dry storage facilities, and that NRC’s endorsement of the guidance will provide regulatory certainty and predictability for the industry to apply appropriate administrative controls during short duration outdoor dry cask storage operations.

The NRC staff plans to document its endorsement in a future regulatory guide, including any clarifications and exceptions from the NEI 22-02 guidance that the NRC may take. The NRC staff plans to align on the potential clarifications and exceptions by February 2022 and will communicate these through the development of the regulatory guide.

Meanwhile, enforcement guidance memorandum (EGM) 22-001 issued on April 15, 2022, provides guidance when a specific or general license of an independent spent fuel storage installation does not comply with its design or licensing basis for the protection against environmental conditions and natural phenomena per Title 10 of the *Code of Federal Regulations* Part 72.

R. McCullum

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If you have any questions, please contact Mr. John-Chau Nguyen at 301-415-0262 or John-Chau.Nguyen@nrc.gov.

Sincerely,



Habib, Donald signing on behalf
of Diaz-Sanabria, Yaira
on 12/14/22

Yaira Diaz Sanabria, Branch Chief
Storage & Transportation Licensing Branch
Division of Fuel Management
Office of Nuclear Material Safety
and Safeguards

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DOCUMENT DATE: December 14, 2022

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OFFICE	NMSS/DFM	NMSS/DFM	NMSS/DFM	NMSS/DFM
NAME	JNguyen	WWheatley (ELee/for)	MLearn	ARivera
DATE	12/05/2022	12/06/2022	12/06/2022	12/14/2022
OFFICE	NMSS/DFM (A)			
NAME	DHabib for YDiaz-Sanabria			
DATE	12/14/2022			

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