

Public Meeting with Holtec, Holtec Users Group, and General Licensees

Path Forward for General Licensees affected by the Continuous Basket Shims basket design change

March 6, 2024, at 1:30 pm

Agenda

- Introduction and Opening Remarks
- Purpose and Outcome of the Meeting
- Background
- NRC decision on regulatory approaches
- Exemption Criteria, Process, and Timeline
- Public Comments
- Adjourn Public Meeting

Purpose & Outcome

- Describe the regulatory approaches for impacted general licensees.
- Explain the exemption process.
- General licensees plans and next steps.

Background

- On February 8, 2024, public meeting, NRC provided an overview of the NRC's enforcement action issued to Holtec on January 31, 2024.
- No safety consequences have occurred due to the violations.
- No safety concerns with loaded canisters placed on the pad with the design change.
- Regulatory approaches considered:
 - enforcement guidance memorandum,
 - issuing non cited violations, and
 - exemption requests
- To date, 21 general licensees have loaded.
- From April to September, ten general licensees plan to load.
- Several general licensees verbally notified they expect to load in 2025.

Regulatory Approaches:

Employing our Principles of Good Regulation

- Non-cited violations for sites with loaded CBS variant baskets
 - Consistent with the enforcement policy.
 - Is an established process.
 - It demonstrates the licensee's plans to get back into compliance.
 - NRC inspector performing future inspections to ensure compliance is restored.
- Exemptions for sites with upcoming loading campaigns using CBS variant baskets
 - NRC able to expedite exemption review process for upcoming urgent needs if licensees supply necessary information.
 - Principles of Good Regulation – using resources in the most efficient manner possible.

Exemption Criteria

- Must meet 10 CFR 72.7
 - The Commission may, upon application by any interested person or upon its own initiative, grant such exemptions from the requirements of the regulations in this part as it determines **are authorized by law** and will **not endanger life or property or the common defense and security** and are otherwise **in the public interest**.
- Licensees must specify **why** NRC should consider granting an exemption at this time.

Exemption Request Information

- Authorized by Law**
- Granting the exemption “will not endanger life or property or common defense and security”**
 - Information about loading campaign: loading date, type of baskets (storage system and amendment number)
 - Describe the administrative controls in place to minimize the risk of a tip-over
 - Confirm that, based on site-specific ISFSI configuration, the dose limits in 10 CFR 72.106 and 72.104 are met.
- Exemption is “otherwise in the public interest”**
 - Explain why the exemption needs to be granted to support loading date, for example:
 - maintain safety margin in the spent fuel pool
 - conduct other maintenance activities for spent fuel management
 - safely perform decommissioning activities
 - provide timely training to operators on safe management of spent fuel
 - impact of delaying loading (if compliant baskets cannot be obtained)

Supporting an Expedited Exemption Review Process

- Licensee to submit the request 60 days from the need date.
- We expect a high-quality submittal.
- Specificity in meeting the exemption criteria is a must.
- Environmental Review and State Consultation are necessary.

Timing of Exemption Review Process

- A typical exemption review takes 2 to 6 months.
- NRC intentionally enhancing the timeline:
 - recognizing the immediate operational needs in 2024
 - ensuring safe management of spent fuel
- NRC will prioritize requests based on safety, operational needs, and resource availability.

Public Comments

- When prompted for questions and discussion, please indicate your desire to speak by using the “Raise Hand” button in Teams (or press “*5” if participating by phone)
- Once your name has been called by the facilitator, you will need to unmute yourself (press “*6” if participating by phone)
- To ensure we hear from as many people as possible, please limit yourself to one comment or question to start.