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## II. Background

The Office of Nuclear Reactor Regulation (NRR), Division of Risk Analysis (DRA) completed a generic bounding risk analysis (ADAMS Accession No. ML14114A556) that concluded that the issues associated with the inoperability of a Structure, System, or Component due to a tornado-generated missile are likely to be of low risk significance, and do not require immediate plant shutdown. Based on the conclusions of the NRR/DRA analysis, the staff issued EGM 15-002, dated June 10, 2015. In its implementation of EGM 15-002, the NRC staff found that additional refinements are needed to address reportability, enforcement of long standing design issues, and the duration of the enforcement discretion resulting from all the non-conforming conditions being assessed together. As a result, the staff issued EGM 15-002, Revision 1, dated February 7, 2017.

This revised ISG adds additional information for inspection and review staff to support implementation of the changes made in EGM 15-002, Revision 1. This revised draft ISG provides an approach to extending the discretion period. The draft revisions to this ISG also revise provisions concerning reportability requirements under § 50.72 of title 10 of the *Code of Federal Regulations* (10 CFR), discusses enforcement discretion for long-term design non conformances, and reinforces the need for licensees to follow the corrective action program when dispositioning the impact of identified tornado missile non-conformances on operability. This revised ISG will expire with the expiration of EGM 15-002, Revision 1.

## III. Proposed Action

By this action, the NRC is requesting public comments on draft ISG-16-001, Revision 1. This draft ISG provides an approach to extending the discretion period, revises reportability requirements under 10 CCFR 50.72, discusses enforcement discretion for long-term design non conformances, and reinforces the need for licensees to follow their corrective action program when dispositioning the impact of identified tornado missile non-conformances on operability.

## IV. Backfit Discussion

Issuance of this ISG in final form would not constitute backfitting as defined in 10 CFR 50.109 (the Backfit Rule). As discussed in the "Backfitting" section of draft DSS-ISG- 2016-001, Revision 1, this ISG contains guidance for NRC staff for implementing EGM-15-002. This ISG does not constitute backfitting as defined in the Backfit Rule and is not otherwise inconsistent with the issue finality provisions in 10 CFR part 52, and the NRC staff did not prepare a backfit analysis. This is because this ISG requires no response by licensees, and concerns only NRC staff implementation of enforcement discretion pursuant to EGM-15-0002.

Dated at Rockville, Maryland, this 13th day of February 2017.

For the Nuclear Regulatory Commission.

**Robert Taylor,**

*Director, Division of Safety Systems, Office of Nuclear Reactor Regulation.*

[FR Doc. 2017-03527 Filed 2-22-17; 8:45 am]

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## NUCLEAR REGULATORY COMMISSION

[Docket No. 72-09; NRC-2017-0051]

### Department of Energy; Fort St. Vrain Independent Spent Fuel Storage Installation

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** License amendment application, docketing.

**SUMMARY:** The U.S. Nuclear Regulatory Commission (NRC) has docketed a license amendment application from the Department of Energy (DOE or the licensee) for amendment of Materials License No. SNM-2504, for the Fort St. Vrain independent spent fuel storage installation located in Platteville, Colorado. If granted, the amendment would update the licensee delegation of authority in the license, the technical specifications, and the final safety

analysis report. These documents currently delegate authority under the license to the Manager, DOE Idaho Operations Office. The amendment would replace that reference with the Deputy Manager, Idaho Cleanup Project in each of the documents.

**ADDRESSES:** Please refer to Docket ID NRC-2017-0051 when contacting the NRC about the availability of information regarding this document. You may obtain publicly-available information related to this document using any of the following methods:

- *Federal Rulemaking Web site:* Go to <http://www.regulations.gov> and search for Docket ID NRC-2017-0051. Address questions about NRC dockets to Carol Gallagher; telephone: 301-415-3463; email: [Carol.Gallagher@nrc.gov](mailto:Carol.Gallagher@nrc.gov). For technical questions, contact the individual listed in the **FOR FURTHER INFORMATION CONTACT** section of this document.

- *NRC's Agencywide Documents Access and Management System (ADAMS):* You may obtain publicly-available documents online in the ADAMS Public Documents collection at <http://www.nrc.gov/reading-rm/adams.html>. To begin the search, select "ADAMS Public Documents" and then select "Begin Web-based ADAMS Search." For problems with ADAMS, please contact the NRC's Public Document Room (PDR) reference staff at 1-800-397-4209, 301-415-4737, or by email to [pdr.resource@nrc.gov](mailto:pdr.resource@nrc.gov). The ADAMS accession number for each document referenced (if it is available in ADAMS) is provided the first time that it is mentioned in this document.

- *NRC's PDR:* You may examine and purchase copies of public documents at the NRC's PDR, Room O1-F21, One White Flint North, 11555 Rockville Pike, Rockville, Maryland 20852.

**FOR FURTHER INFORMATION CONTACT:** Jose R. Cuadrado, Office of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001; telephone: 301-415-0606; email: [Jose.Cuadrado@nrc.gov](mailto:Jose.Cuadrado@nrc.gov).

## SUPPLEMENTARY INFORMATION:

### I. Introduction

By letter dated September 8, 2016, DOE submitted to the NRC an application to amend the license, technical specifications, and the final safety analysis report, for the Fort St. Vrain independent spent fuel storage installation, located in Platteville, Colorado (ADAMS Accession No. ML16258A179). Materials License No. SNM-2504 authorizes the licensee to receive, store, and transfer spent nuclear fuel from the decommissioned FSV

Nuclear Generating Station. The proposed amendment would revise the licensee delegation of authority in the license, the technical specifications, and the final safety analysis report. These documents currently delegate authority under the license to the Manager, DOE Idaho Operations Office. This amendment would replace that reference with the Deputy Manager, Idaho Cleanup Project in each of the documents.

In a letter to DOE dated December 9, 2016, the NRC notified DOE that the application was acceptable to begin a technical review (ADAMS Accession No. ML16347A129). The NRC's Office of Nuclear Materials Safety and Safeguards has docketed this application under Docket No. 72-09. If the NRC approves the amendment, the approval will be documented in an amendment to NRC Materials License No. SNM-2504. The Commission will approve the license amendment if it determines that the request complies with the standards and requirements of the Atomic Energy Act of 1954, as amended, and the NRC's rules and regulations, and make findings consistent with the National Environmental Policy Act and part 51 of title 10 of the *Code of Federal Regulations* (10 CFR). These findings will be documented in a safety evaluation report.

## II. Opportunity To Request a Hearing

The Commission may issue either a notice of hearing or a notice of proposed action and opportunity for hearing in accordance with 10 CFR 72.46(b)(1) or, if a determination is made that the amendment does not present a genuine issue as to whether public health and safety will be significantly affected, take immediate action on the amendment in accordance with 10 CFR 72.46(b)(2), and provide notice of the action taken and an opportunity for interested persons to request a hearing on whether the action should be rescinded or modified.

Dated at Rockville, Maryland, this 14th day of February 2017.

For the Nuclear Regulatory Commission.

**Bernard H. White, IV,**

*Acting Chief, Spent Fuel Licensing Branch,  
Division of Spent Fuel Management, Office  
of Nuclear Material Safety and Safeguards.*

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## NUCLEAR REGULATORY COMMISSION

[Docket No. 72-25; NRC-2017-0049]

### Department of Energy; Idaho Spent Fuel Facility Independent Spent Fuel Storage Installation

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** License amendment application, docketing.

**SUMMARY:** The U.S. Nuclear Regulatory Commission (NRC) has docketed a license amendment application from the Department of Energy (DOE or the licensee) for amendment of Materials License No. SNM-2512, for the Idaho Spent Fuel Facility independent spent fuel storage installation located at the Idaho National Engineering Laboratory in Butte County, Idaho. If granted, the amendment would update the licensee delegation of authority in the license, the technical specifications, and the final safety analysis report. These documents currently delegate authority under the license to the Manager, DOE Idaho Operations Office. The amendment would replace that reference with the Deputy Manager, Idaho Cleanup Project in each of the documents.

**ADDRESSES:** Please refer to Docket ID NRC-2017-0049 when contacting the NRC about the availability of information regarding this document. You may obtain publicly-available information related to this document using any of the following methods:

- *Federal Rulemaking Web site:* Go to <http://www.regulations.gov> and search for Docket ID NRC-2017-0049. Address questions about NRC dockets to Carol Gallagher; telephone: 301-415-3463; email: [Carol.Gallagher@nrc.gov](mailto:Carol.Gallagher@nrc.gov). For technical questions, contact the individual listed in the **FOR FURTHER INFORMATION CONTACT** section of this document.

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**FOR FURTHER INFORMATION CONTACT:** Jose R. Cuadrado, Office of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001; telephone: 301-415-0606; email: [Jose.Cuadrado@nrc.gov](mailto:Jose.Cuadrado@nrc.gov).

## SUPPLEMENTARY INFORMATION:

### I. Introduction

By letter dated September 8, 2016, DOE submitted to the NRC an application to amend the license, technical specifications, and the final safety analysis report, for the Idaho Spent Fuel Facility independent spent fuel storage installation, located on the Idaho National Engineering Laboratory in Butte County, Idaho (ADAMS Accession No. ML16258A178). Materials License No. SNM-2512 authorizes the licensee to receive, store, and transfer spent nuclear fuel elements from the Peach Bottom Unit 1 reactor and various TRIGA reactors; reflector modules and rods from the Shippingport reactor; and associated radioactive materials and components related to the fuel elements' receipt, transfer, and storage. The proposed amendment would revise the licensee delegation of authority in the license, the technical specifications, and the final safety analysis report. These documents currently delegate authority under the license to the Manager, DOE Idaho Operations Office. This amendment would replace that reference with the Deputy Manager, Idaho Cleanup Project in each of the documents.

In a letter to DOE dated December 9, 2016, the NRC notified DOE that the application was acceptable to begin a technical review (ADAMS Accession No. ML16347A133). The NRC's Office of Nuclear Materials Safety and Safeguards has docketed this application under Docket No. 72-25. If the NRC approves the amendment, the approval will be documented in an amendment to NRC Materials License No. SNM-2512. The Commission will approve the license amendment if it determines that the request complies with the standards and requirements of the Atomic Energy Act of 1954, as amended, and the NRC's rules and regulations, and make findings consistent with the National Environmental Policy Act and 10 CFR part 51. These findings will be documented in a Safety Evaluation Report.