

## 5. Public Meetings

- Has the applicant held at least 1 public meeting?
- Does the proposal include a summary of the public recommendations and the organization's response to them?

## 6. The Work Plan and Feasibility of the Proposed Methods

- To what extent are the goals and objectives clearly identifiable and achievable?
- Is the timeline appropriate for the work plan and the proposed resources?
- Are the roles and duties of key personnel clear, and are the team members appropriately qualified for the proposed work?
- Do the key personnel and board members represent an appropriate mix of humanities, nonprofit, and community expertise? How strong is the experience of the staff and board in each of these areas?

## V. Notification of Results

NEH will notify applicants of the NEH Chair's decision to enter into a partnership in December 2024. This notification is not an authorization to begin performance or incur related costs. No funding is awarded through this call for proposals. The selected partner will be invited to apply for a State and Jurisdictional Humanities Council General Operating Support Grant using the following Notice of Funding Opportunity: State and Jurisdictional Humanities Councils General Operating Support Grants.

Dated: March 27, 2024.

**Jessica Graves,**

*Paralegal Specialist, National Endowment for the Humanities.*

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**NUCLEAR REGULATORY COMMISSION**

[Docket Nos. 50-309 and 72-30; NRC-2024-0020]

**Maine Yankee Atomic Power Company; Maine Yankee Atomic Power Station; Exemption**

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Notice; issuance.

**SUMMARY:** The U.S. Nuclear Regulatory Commission (NRC) has issued an exemption in response to the March 31, 2023, request from Maine Yankee Atomic Power Company (MYAPC or Maine Yankee), for the Maine Yankee

Atomic Power Station (MYAPS), located in Wiscasset, Maine. The exemption permits MYAPC to make withdrawals from a separate account within Maine Yankee's overall Nuclear Decommissioning Trust (NDT), on an annual basis, for spent nuclear fuel and Greater than Class C (GTCC) waste management and non-radiological site restoration without prior notification to the NRC.

**DATES:** The exemption was issued on February 29, 2024.

**ADDRESSES:** Please refer to Docket ID NRC-2024-0020 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 website:* Go to <https://www.regulations.gov> and search for Docket ID NRC-2024-0020. Address questions about Docket IDs in *Regulations.gov* to Stacy Schumann; telephone: 301-415-0624; email: [Stacy.Schumann@nrc.gov](mailto:Stacy.Schumann@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 <https://www.nrc.gov/reading-rm/adams.html>. To begin the search, 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, at 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:* The PDR, where you may examine and order copies of publicly available documents, is open by appointment. To make an appointment to visit the PDR, please send an email to [PDR.Resource@nrc.gov](mailto:PDR.Resource@nrc.gov) or call 1-800-397-4209 or 301-415-4737, between 8 a.m. and 4 p.m. eastern time (ET), Monday through Friday, except Federal holidays.

**FOR FURTHER INFORMATION CONTACT:** Tilda Liu, Office of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001; telephone: 404-997-4730, email: [Tilda.Liu@nrc.gov](mailto:Tilda.Liu@nrc.gov).

**SUPPLEMENTARY INFORMATION:** By letter dated March 31, 2023, (ADAMS Accession No. ML23113A005), the Maine Yankee Atomic Power Company (MYAPC or Maine Yankee) submitted a

request to the NRC for an exemption from sections 50.82(a)(8)(i)(A) and 50.75(h)(2) of title 10 of the *Code of Federal Regulations* (10 CFR) for the Maine Yankee Independent Spent Fuel Storage Installation (ISFSI).<sup>1</sup>

Maine Yankee has established a separate (segregated) account within its over-arching Nuclear Decommissioning Trust (NDT), entitled "ISFSI Radiological Decom," that identifies the funds for radiological decommissioning of the ISFSI apart from the larger balance of funds in the NDT allocated for ongoing management of spent nuclear fuel and Greater than Class C (GTCC) waste and for non-radiological site restoration activities. Although 10 CFR 50.82 applies to the segregated account, it does not apply to the overall NDT.

The exemption from 10 CFR 50.82(a)(8)(i)(A) and 50.75(h)(2) allows MYAPC to make withdrawals from the segregated account, on an annual basis, for spent nuclear fuel and GTCC waste management and non-radiological site restoration without prior notification to the NRC. More specifically, with this exemption, MYAPC can annually transfer funds exceeding 110 percent of the inflation-adjusted Decommissioning Cost Estimate, described in 10 CFR 50.75, from the segregated account to its overarching NDT and use those funds for spent nuclear fuel and GTCC waste management and non-radiological site restoration.

Based on the review, the NRC determined that, pursuant to 10 CFR 50.12(a), the exemption is authorized by law, will not present an undue risk to the public health and safety, and is consistent with the common defense and security. Also, the NRC determined that special circumstances are present. Therefore, the NRC granted Maine Yankee an exemption from the requirements of 10 CFR 50.82(a)(8)(i)(A) and 10 CFR 50.75(h)(2) to permit MYAPC to make withdrawals from the segregated account, on an annual basis, for spent nuclear fuel and GTCC waste management and non-radiological site restoration without prior notification to the NRC. All other relevant

<sup>1</sup> The Maine Yankee ISFSI sits on the former site of the Maine Yankee Atomic Power Station, which MYAPC finished decommissioning in 2005. Although only the Maine Yankee ISFSI remains on the site, Maine Yankee's 10 CFR part 50 license, Facility Operating License No. DPR-36, remains in effect. Because MYAPC requested an exemption from the requirements of 10 CFR part 50, this would be an exemption for MYAPC's 10 CFR part 50 license rather than for MYAPC's 10 CFR part 72 general license. Therefore, although MYAPC's submission requested an exemption for the Maine Yankee ISFSI, the NRC considers it a request for an exemption for the Maine Yankee Atomic Power Station.

requirements shall be met. On February 29, 2024, the NRC issued an exemption for MYAPC (ADAMS Package Accession No. ML23286A325). The NRC staff also prepared an environmental assessment and finding of no significant impact regarding the proposed exemption request, published in the **Federal Register** on February 28, 2024 (89 FR 14723), and concluded that the proposed exemption would not have a significant impact on the quality of the human environment.

Dated: March 27, 2024.

For the Nuclear Regulatory Commission.

**Yoira K. Diaz-Sanabria,**

Chief, Storage and Transportation Licensing Branch, Division of Fuel Management, Office of Nuclear Material Safety and Safeguards.

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## NUCLEAR REGULATORY COMMISSION

[Docket Nos. 72-37, 50-237, and 50-249; NRC-2024-0054]

### Constellation Energy Generation, LLC; Dresden Nuclear Power Station, Unit 2 and Unit 3; Independent Spent Fuel Storage Installation; Environmental Assessment and Finding of No Significant Impact

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Notice; issuance.

**SUMMARY:** The U.S. Nuclear Regulatory Commission (NRC) is issuing an environmental assessment (EA) and a finding of no significant impact (FONSI) for an exemption request submitted by Constellation Energy Generation, LLC (Constellation) that would permit Dresden Nuclear Power Station (Dresden) to maintain loaded and to load 68M multi-purpose canister (MPC) with continuous basket shims (CBS) in the HI-STORM 100 Cask System at its Dresden Unit 2 and Unit 3 independent spent fuel storage installation (ISFSI) in a storage condition where the terms, conditions, and specifications in the Certificate of Compliance (CoC) No. 1014, Amendment No. 8, Revision No. 1 are not met.

**DATES:** The EA and FONSI referenced in this document are available on April 1, 2024.

**ADDRESSES:** Please refer to Docket ID NRC-2024-0054 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 website:* Go to <https://www.regulations.gov> and search for Docket ID NRC-2024-0054. Address questions about Docket IDs in *Regulations.gov* to Stacy Schumann; telephone: 301-415-0624; email: [Stacy.Schumann@nrc.gov](mailto:Stacy.Schumann@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 <https://www.nrc.gov/reading-rm/adams.html>. To begin the search, 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, at 301-415-4737, or by email to [PDR.Resource@nrc.gov](mailto:PDR.Resource@nrc.gov). For the convenience of the reader, instructions about obtaining materials referenced in this document are provided in the "Availability of Documents" section.

- *NRC's PDR:* The PDR, where you may examine and order copies of publicly available documents, is open by appointment. To make an appointment to visit the PDR, please send an email to [PDR.Resource@nrc.gov](mailto:PDR.Resource@nrc.gov) or call 1-800-397-4209 or 301-415-4737, between 8 a.m. and 4 p.m. eastern time (ET), Monday through Friday, except Federal holidays.

**FOR FURTHER INFORMATION CONTACT:** Yen-Ju Chen, Office of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, Washington, DC 20555; telephone: 301-415-1018; email: [Yen-Ju.Chen@nrc.gov](mailto:Yen-Ju.Chen@nrc.gov).

#### SUPPLEMENTARY INFORMATION:

##### I. Introduction

The NRC is reviewing an exemption request from Constellation, dated February 23, 2024, and supplemented on February 28, 2024, and March 8, 2024. Constellation is requesting an exemption, pursuant to section 72.7 of title 10 of the *Code of Federal Regulations* (10 CFR), in sections 72.212(a)(2), 72.212(b)(3), 72.212(b)(5)(i), 72.212(b)(11), and 72.214 that require Constellation to comply with the terms, conditions, and specifications of the CoC No. 1014, Amendment No. 8, Revision No. 1. If approved, the exemption would allow Constellation to maintain loaded and to load MPC-68-CBS in the HI-STORM 100 Cask System at the Dresden ISFSI in a storage condition where the terms, conditions, and specifications in the CoC No. 1014, Amendment No. 8, Revision No. 1, are not met.

## II. Environmental Assessment

### Background

Dresden is located on the south bank of the Illinois River at the confluence of the Des Plaines and the Kankakee Rivers in Goose Lake Township, Grundy County, near the city of Morris, Illinois. Unit 2 began operating in 1970 and Unit 3 began operating in 1971. Constellation has been storing spent fuel in an ISFSI at Dresden under a general license as authorized by 10 CFR part 72, subpart K, "General License for Storage of Spent Fuel at Power Reactor Sites." Constellation currently uses the HI-STORM 100 Cask System under CoC No. 72-1014, Amendment No. 8, Revision No. 1 for dry storage of spent nuclear fuel in a specific MPC (*i.e.*, MPC-68M) at the Dresden ISFSI.

### Description of the Proposed Action

The CoC is the NRC approved design for each dry cask storage system. The proposed action would exempt the applicant from the requirements of 10 CFR 72.212(a)(2), 72.212(b)(3), 72.212(b)(5)(i), 72.212(b)(11), and 72.214 only as these requirements pertain to the use of the MPC-68-CBS in the HI-STORM 100 Cask System for the already loaded systems and the near-term planned loadings of the systems. The exemption would allow Constellation to maintain loaded and to load MPC-68-CBS in the HI-STORM 100 Cask System at the Dresden ISFSI, despite the MPC-68-CBS in the HI-STORM 100 Cask System not being in compliance with the terms, conditions, and specifications in the CoC No. 1014, Amendment No. 8, Revision No. 1.

The HI-STORM 100 Cask System CoC provides the requirements, conditions, and operating limits necessary for use of the system to store spent fuel. Holtec International (Holtec), the designer and manufacturer of the HI-STORM 100 Cask System, developed a variant of the design with continuous basket shims (CBS) for the MPC-68M, known as MPC-68M-CBS. Holtec originally implemented the CBS variant design under the provisions of 10 CFR 72.48, which allows licensees to make changes to cask designs without a CoC amendment under certain conditions (listed in 10 CFR 72.48(c)). After evaluating the specific changes to the cask designs, the NRC determined that Holtec erred when it implemented the CBS variant design under 10 CFR 72.48, as this was not the type of change allowed without a CoC amendment. For this reason, the NRC issued three Severity Level IV violations to Holtec. Prior to the issuance of the violations, Constellation had already loaded four