



NRC NEWS

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NRC WITHDRAWS PROPOSED RULE ON DUAL-PURPOSE CASKS FOR SPENT NUCLEAR FUEL

The Nuclear Regulatory Commission has withdrawn a proposed rule that would have allowed certificate holders for dual-purpose (DP) spent fuel casks to make certain design changes to the casks without prior NRC approval.

The proposed Subpart I was contained in a larger rulemaking first published in April 2002 that was intended to make NRC regulations on the transportation of radioactive materials compatible with international standards set by the International Atomic Energy Agency (IAEA). That rule was issued as a final rule in January 2004 (and became effective Oct. 1, 2004), without Subpart I.

Subpart I would have created a new type of package certification, "Type B(DP)," for casks used for storage and transportation of spent nuclear fuel. It would have authorized holders of Type B(DP) certificates to make some non-safety-related changes to the package design and procedures without NRC approval under certain conditions. There is a similar authority in NRC regulations for non-safety-related changes to storage casks.

The NRC received several public comments on the proposed Subpart I and in a public workshop on the proposal held in April 2004. Several cask vendors and certificate holders said the proposal would impose significant regulatory costs and burdens. In addition, some non-safety-related changes to transport cask designs are already authorized under current NRC regulations.

Further detail on the NRC's reasons for withdrawing the proposed Subpart I can be found in a *Federal Register* notice published Jan. 4.

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