



## NUCLEAR REGULATORY COMMISSION

10 CFR Part 72

[NRC-2025-0070]

RIN 3150-AL33

**List of Approved Spent Fuel Storage Casks: TN Americas LLC,  
NUHOMS® EOS Dry Spent Fuel Storage System,  
Certificate of Compliance No. 1042, Amendment No. 4**

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Direct final rule.

**SUMMARY:** The U.S. Nuclear Regulatory Commission (NRC) is amending its spent fuel storage regulations by revising the TN Americas LLC, NUHOMS® EOS Dry Spent Fuel Storage System listing within the “List of approved spent fuel storage casks” to include Amendment No. 4 to Certificate of Compliance No. 1042. Amendment No. 4 changes the certificate of compliance to incorporate a method to determine new loading patterns, introduce a steel plate composite option, introduce the use of MAVRIC software for a confirmatory run of the HSM-MX dose rates, make technical specification changes for consistency and terminology clarification, make various updated final safety analysis report editorial corrections for consistency and clarification, add measured exposures from past loading campaigns, allow use of a blended Portland cement, change the use of the MX-Loading Crane, and clarify the scenarios under which the maximum heat loads can be reduced.

**DATES:** This direct final rule is effective [INSERT DATE 75 DAYS AFTER DATE OF PUBLICATION IN THE *FEDERAL REGISTER*], unless significant adverse comments are

received by **[INSERT DATE 30 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER]**. If this direct final rule is withdrawn as a result of such comments, timely notice of the withdrawal will be published in the *Federal Register*. Comments received after this date will be considered if it is practical to do so, but the NRC is able to ensure consideration of only comments received on or before this date. Comments received on this direct final rule will also be considered to be comments on a companion proposed rule published in the Proposed Rules section of this issue of the *Federal Register*.

**ADDRESSES:** Submit your comments, identified by Docket ID NRC-2025-0070, at <https://www.regulations.gov>. If your material cannot be submitted using <https://www.regulations.gov>, call or email the individual listed in the FOR FURTHER INFORMATION CONTACT section of this document for alternate instructions.

You can read a plain language description of this direct final rule at <https://www.regulations.gov/docket/NRC-2025-0070>. For additional direction on obtaining information and submitting comments, see “Obtaining Information and Submitting Comments” in the **SUPPLEMENTARY INFORMATION** section of this document.

**FOR FURTHER INFORMATION CONTACT:** George Tartal, U.S. Nuclear Regulatory Commission, Washington DC 20555-0001; telephone: 301-415-0016, email: [George.Tartal@nrc.gov](mailto:George.Tartal@nrc.gov).

**SUPPLEMENTARY INFORMATION:**

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## I. Obtaining Information and Submitting Comments

### A. Obtaining Information

Please refer to Docket ID NRC-2025-0070 when contacting the NRC about the availability of information for this action. You may obtain publicly available information related to this action by any of the following methods:

- **Federal Rulemaking Website:** Go to <https://www.regulations.gov> and search for Docket ID NRC-2025-0070. Address questions about NRC dockets to Helen Chang, telephone: 301-415-3228, email: [Helen.Chang@nrc.gov](mailto:Helen.Chang@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, 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, Monday through Friday, except Federal holidays.

## B. Submitting Comments

The NRC encourages electronic comment submission through the Federal rulemaking website (<https://www.regulations.gov>). Please include Docket ID NRC-2025-0070 in your comment submission.

The NRC cautions you not to include identifying or contact information that you do not want to be publicly disclosed in your comment submission. The NRC will post all comment submissions at <https://www.regulations.gov> as well as enter the comment submissions into ADAMS. The NRC does not routinely edit comment submissions to remove identifying or contact information.

If you are requesting or aggregating comments from other persons for submission to the NRC, then you should inform those persons not to include identifying or contact information that they do not want to be publicly disclosed in their comment submission. Your request should state that the NRC does not routinely edit comment submissions to remove such information before making the comment submissions available to the public or entering the comment into ADAMS.

## II. Rulemaking Procedure

The NRC is using the “direct final rule procedure” to issue this amendment because this action represents a limited and routine change to an existing certificate of compliance (CoC) that is expected to be non-controversial and, accordingly, is unlikely to result in significant adverse public comments. Adequate protection of public health and safety continues to be reasonably assured. The amendment to the rule will become effective on **[INSERT DATE 75 DAYS AFTER DATE OF PUBLICATION IN THE**

**FEDERAL REGISTER**]. However, if the NRC receives significant adverse comments on this direct final rule by **[INSERT DATE 30 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER]**, then the NRC will publish a document that withdraws this action and will subsequently address the comments received in a final rule as a response to the companion proposed rule published in the Proposed Rules section of this issue of the *Federal Register* or as otherwise appropriate. In general, absent significant modifications to the proposed revisions requiring republication, the NRC will not initiate a second comment period on this action.

A significant adverse comment is a comment where the commenter explains why the rule would be inappropriate, including challenges to the rule's underlying premise or approach, or would be ineffective or unacceptable without a change. A comment is adverse and significant if:

1) The comment opposes the rule and provides a reason sufficient to require a substantive response in a notice-and-comment process. For example, a substantive response is required when:

a) The comment causes the NRC to reevaluate (or reconsider) its position or conduct additional analysis;

b) The comment raises an issue serious enough to warrant a substantive response to clarify or complete the record; or

c) The comment raises a relevant issue that was not previously addressed or considered by the NRC.

2) The comment proposes a change or an addition to the rule, and it is apparent that the rule would be ineffective or unacceptable without incorporation of the change or addition.

3) The comment causes the NRC to make a change (other than editorial) to the rule, CoC, or technical specifications (TS).

For detailed instructions on filing comments, please see the ADDRESSES section of this document.

### **III. Background**

Section 218(a) of the Nuclear Waste Policy Act of 1982, as amended, requires that “[t]he Secretary [of the Department of Energy] shall establish a demonstration program, in cooperation with the private sector, for the dry storage of spent nuclear fuel at civilian nuclear power reactor sites, with the objective of establishing one or more technologies that the [Nuclear Regulatory] Commission may, by rule, approve for use at the sites of civilian nuclear power reactors without, to the maximum extent practicable, the need for additional site-specific approvals by the Commission.” Section 133 of the Nuclear Waste Policy Act states, in part, that “[t]he Commission shall, by rule, establish procedures for the licensing of any technology approved by the Commission under section 219(a) [sic: 218(a)] for use at the site of any civilian nuclear power reactor.”

To implement this mandate, the Commission approved dry storage of spent nuclear fuel in NRC-approved casks under a general license by publishing a final rule that added a new subpart K in part 72 of title 10 of the *Code of Federal Regulations* (10 CFR) entitled “General License for Storage of Spent Fuel at Power Reactor Sites” (55 FR 29181; July 18, 1990). This rule also established a new subpart L in 10 CFR part 72 entitled “Approval of Spent Fuel Storage Casks,” which contains procedures and criteria for obtaining NRC approval of spent fuel storage cask designs. The NRC subsequently issued a final rule on March 24, 2017 (82 FR 14987), that approved the TN Americas LLC, NUHOMS® EOS Dry Spent Fuel Storage System design and added it to the list of NRC-approved cask designs in § 72.214 as CoC No. 1042.

This rule is limited to the changes contained in Amendment No. 4 to CoC No. 1042 and does not include other aspects of the TN Americas LLC, NUHOMS® EOS Dry Spent Fuel Storage System design.

### **IV. Discussion of Changes**

On September 29, 2022, TN Americas LLC submitted a request to the NRC to amend CoC No. 1042. TN Americas LLC supplemented its request on the following dates: March 30, 2023, June 28, 2023, April 22, 2024, November 6, 2024, and February 12, 2025. Amendment No. 4 amends the CoC to make the following changes:

- For the EOS-37PTH, similar to the EOS-89BTH concept submitted under Amendment No. 3, incorporate a method to determine new loading patterns based on the maximum allowable heat load per dry shielded canister (DSC), identified as the maximum allowable heat load configuration (MHLC). The MHLC is applicable to the EOS-37PTH transferred in the EOS-TC125 and stored in the EOS-horizontal storage module (HSM). Two new heat load zone configurations (HLZCs) are applicable to this MHLC.
- Introduce a steel plate composite option for the EOS-HSM. The steel plate composite option allows for the HSM components to be constructed from concrete-filled integrated steel wall forms. The walls are tied together with tie bars and studs that are welded to the inside of the walls to provide concrete reinforcement. When used without distinction, EOS-HSM-SC refers to both the segmented and one-piece base. The EOS-HSM-SC is used only with the flat plate support structure.
- Introduce the use of MAVRIC software for a confirmatory run of the HSM-MX dose rates.
- Technical specification changes for consistency among DSC types and terminology clarification.
- Various updated final safety analysis report (UFSAR) editorial corrections for consistency and clarification.
- Add measured exposures from past loading campaigns to highlight that measured exposures are significantly less than calculated exposures.
- Add an additional scope item to allow use of a blended Portland cement that would be certified to the requirements of American Society for Testing and Materials

(ASTM) C595. The reason for this change is that the cement supplier will no longer provide cement in accordance with ASTM C150 since the supplier is transitioning to a cement with a smaller carbon footprint that includes 10 percent limestone. This change supports continued EOS-HSM and EOS HSM-MX fabrication activities. In support of this additional scope, revise UFSAR sections 8.2.1.3, EOS HSM Horizontal Storage Module; 8.7, References; A.8.2.1.3, HSM-MX Horizontal Storage Module; and A.8.7, References. Also add an editorial clarification to UFSAR chapters 8 and A.8 regarding the use of a blended Portland cement that would be certified to the requirements of ASTM C595.

- Add an additional scope item related to the use of the MX-Loading Crane (LC) for the 61BTH Type 2 DSCs. The reason for this change is that, under Amendment No. 3, TN Americas LLC added detail to demonstrate the single failure proof capability of the MX-LC. That information was provided to demonstrate compliance with CoC No. 1042, Amendment No. 3, Condition 5 for lifts of the DSC and transfer cask above heights not analyzed for an accidental drop, and to comply with CoC No. 1042, Amendment No. 3, TS 5.2.1 for transfer cask/DSC lifting height limits. However, TN Americas LLC omitted addressing use of the MX-LC for the 61BTH DSCs. This change supports the continued use of the HSM-MX in conjunction with the MX-LC for 61BTH DSCs. In support of this additional scope, revise UFSAR sections B.9.1.6, DSC Transfer to the HSM-MX; B.9.2.1, DSC Retrieval from the HSM-MX; B.9.3, References; B.12.3.1, OS197 Transfer Cask (TC) Drop; and B.12.4, References.

- Add an additional scope item to clarify the scenarios under which the maximum heat loads can be reduced for EOS-37PTH. The reason for this change is to clarify the different site-specific conditions that could result in a reduction in the maximum heat load for existing HLZCs and to also note that one could develop new HLZCs based on the MHLC methodology described in UFSAR section 2.4.3.1. Add this clarifying language to the fourth paragraph on UFSAR page 2-10 and to page 2-2 of the TS.

The changes to the aforementioned documents are identified with revisions bars

in the margin of each document.

As documented in the preliminary safety evaluation report, the NRC performed a safety evaluation of the proposed CoC amendment request. The NRC determined that this amendment does not reflect a significant change in design or fabrication of the cask. Specifically, the NRC determined that the design of the cask would continue to maintain confinement, shielding, and criticality control in the event of each evaluated accident condition. In addition, any resulting occupational exposure or offsite dose rates from the implementation of Amendment No. 4 would remain well within the limits specified by 10 CFR part 20, "Standards for Protection Against Radiation." Thus, the NRC found there will be no significant change in the types or amounts of any effluent released, no significant increase in the individual or cumulative radiation exposure, and no significant increase in the potential for or consequences from radiological accidents.

The NRC determined that the amended TN Americas LLC, NUHOMS® EOS Dry Spent Fuel Storage System cask design, when used under the conditions specified in the CoC, the TS, and the NRC's regulations, will meet the requirements of 10 CFR part 72; therefore, adequate protection of public health and safety will continue to be reasonably assured. This direct final rule changes the TN Americas LLC, NUHOMS® EOS Dry Spent Fuel Storage System listing in § 72.214 by adding Amendment No. 4 to CoC No. 1042. The amendment consists of the changes previously described, as set forth in the referenced CoC and TS. The referenced TS are identified in the preliminary safety evaluation report. When this direct final rule becomes effective, persons who hold a general license under § 72.210 may, consistent with the license conditions under § 72.212, load spent nuclear fuel into TN Americas LLC, NUHOMS® EOS Dry Spent Fuel Storage System casks that meet the criteria of Amendment No. 4 to CoC No. 1042.

## **V. Voluntary Consensus Standards**

The National Technology Transfer and Advancement Act of 1995 (Pub. L. 104-

113) requires that Federal agencies use technical standards that are developed or adopted by voluntary consensus standards bodies unless the use of such a standard is inconsistent with applicable law or otherwise impractical. In this direct final rule, the NRC revises the TN Americas LLC, NUHOMS® EOS Dry Spent Fuel Storage System design listed in § 72.214, “List of approved spent fuel storage casks.” This action does not constitute the establishment of a standard that contains generally applicable requirements; therefore, the National Technology Transfer and Advancement Act is not applicable.

## **VI. Agreement State Compatibility**

Under the “Agreement State Program Policy Statement” approved by the Commission on October 2, 2017, and published in the *Federal Register* on October 18, 2017 (82 FR 48535), this rule is classified as Compatibility Category NRC – Areas of Exclusive NRC Regulatory Authority. The NRC program elements in this category are those that relate directly to areas of regulation reserved to the NRC by the Atomic Energy Act of 1954, as amended, or the provisions of 10 CFR chapter I. Therefore, compatibility is not required for program elements in this category.

## **VII. Plain Writing**

The Plain Writing Act of 2010 (Pub. L. 111-274) requires Federal agencies to write documents in a clear, concise, and well-organized manner. The NRC has written this document to be consistent with the Plain Writing Act as well as the Presidential Memorandum, “Plain Language in Government Writing,” published June 10, 1998 (63 FR 31885). The NRC requests comment on this document with respect to the clarity and effectiveness of the language used.

## VIII. Environmental Assessment and Finding of No Significant Impact

Under the National Environmental Policy Act of 1969, as amended, and the NRC's regulations in 10 CFR part 51, "Environmental Protection Regulations for Domestic Licensing and Related Regulatory Functions," the NRC has determined that this direct final rule, if adopted, would not be a major Federal action significantly affecting the quality of the human environment and, therefore, an environmental impact statement is not required. The NRC has made a finding of no significant impact on the basis of this environmental assessment. This environmental assessment and finding of no significant impact can be tracked with identification number NEPA ID EAXX-429-00-000-1743148474.

### A. The Action

The action is to amend § 72.214 to change the TN Americas LLC, NUHOMS® EOS Dry Spent Fuel Storage System listing within the "List of approved spent fuel storage casks" to include Amendment No. 4 to CoC No. 1042.

### B. The Need for the Action

This direct final rule amends the CoC for the TN Americas LLC, NUHOMS® EOS Dry Spent Fuel Storage System design within the list of approved spent fuel storage casks to allow power reactor licensees to store spent fuel at reactor sites in casks with the approved modifications under a general license. Specifically, Amendment No. 4 changes the CoC to incorporate a method to determine new loading patterns, introduce a steel plate composite option, introduce the use of MAVRIC software for a confirmatory run of the HSM-MX dose rates, make TS changes for consistency and terminology clarification, make various UFSAR editorial corrections for consistency and clarification, add measured exposures from past loading campaigns, allow use of a blended Portland cement, change the use of the MX-LC, and clarify the scenarios under which the

maximum heat loads can be reduced.

### C. Environmental Impacts of the Action

On July 18, 1990 (55 FR 29181), the NRC issued an amendment to 10 CFR part 72 to provide for the storage of spent fuel under a general license in cask designs approved by the NRC. The potential environmental impact of using NRC-approved storage casks was analyzed in the environmental assessment for the 1990 final rule. The environmental assessment for this Amendment No. 4 tiers off of the environmental assessment for the July 18, 1990, final rule. Tiering on past environmental assessments is a standard process under the National Environmental Policy Act of 1969, as amended.

The TN Americas LLC, NUHOMS® EOS Dry Spent Fuel Storage System is designed to mitigate the effects of design basis accidents that could occur during storage. Design basis accidents account for human-induced events and the most severe natural phenomena reported for the site and surrounding area. Postulated accidents analyzed for an independent spent fuel storage installation, the type of facility at which a holder of a power reactor operating license would store spent fuel in casks in accordance with 10 CFR part 72, can include tornado winds and tornado-generated missiles, a design basis earthquake, a design basis flood, an accidental cask drop, lightning effects, fire, explosions, and other incidents.

This amendment does not reflect a significant change in design or fabrication of the cask. Because there are no significant design or process changes, any resulting occupational exposure or offsite dose rates from the implementation of Amendment No. 4 would remain well within the 10 CFR part 20 limits.

The NRC has also determined that the design of the cask as modified by this rule would continue to maintain confinement, shielding, and criticality control in the event of an accident. Therefore, the proposed changes will not result in any radiological or non-radiological environmental impacts that significantly differ from the environmental impacts evaluated in the environmental assessment supporting the July 18, 1990, final

rule. There will be no significant change in the types or significant revisions in the amounts of any effluent released, no significant increase in the individual or cumulative radiation exposures, and no significant increase in the potential for, or consequences from, radiological accidents. The NRC documented its safety findings in the preliminary safety evaluation report.

#### D. Alternative to the Action

The alternative to this action is to deny approval of Amendment No. 4 and not issue the direct final rule. Consequently, any 10 CFR part 72 general licensee that seeks to load spent nuclear fuel into the TN Americas LLC, NUHOMS® EOS Dry Spent Fuel Storage System in accordance with the changes described in proposed Amendment No. 4 would have to request an exemption from the requirements of §§ 72.212 and 72.214. Under this alternative, interested licensees would have to prepare, and the NRC would have to review, a separate exemption request, thereby increasing the administrative burden upon the NRC and the costs to each licensee. The environmental impacts would be the same as the proposed action.

#### E. Alternative Use of Resources

Approval of Amendment No. 4 to CoC No. 1042 would result in no irreversible and irretrievable commitments of Federal resources.

#### F. Agencies and Persons Contacted

No agencies or persons outside the NRC were contacted in connection with the preparation of this environmental assessment.

#### G. Finding of No Significant Impact

The environmental impacts of the action have been reviewed under the requirements in the National Environmental Policy Act of 1969, as amended, and the

NRC's regulations in subpart A of 10 CFR part 51, "Environmental Protection Regulations for Domestic Licensing and Related Regulatory Functions." Based on the foregoing environmental assessment, the NRC concludes that this direct final rule, "List of Approved Spent Fuel Storage Casks: TN Americas LLC, NUHOMS® EOS Dry Spent Fuel Storage System, Certificate of Compliance No. 1042, Amendment No. 4," will not have a significant effect on the human environment. Therefore, the NRC has determined that an environmental impact statement is not necessary for this direct final rule.

### **IX. Paperwork Reduction Act Statement**

This direct final rule does not contain any new or amended collections of information subject to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 et seq.). Existing collections of information were approved by the Office of Management and Budget, approval number 3150-0132.

### **Public Protection Notification**

The NRC may not conduct or sponsor, and a person is not required to respond to, a request for information or an information collection requirement unless the requesting document displays a currently valid Office of Management and Budget control number.

### **X. Regulatory Flexibility Certification**

Under the Regulatory Flexibility Act of 1980 (5 U.S.C. 605(b)), the NRC certifies that this direct final rule will not, if issued, have a significant economic impact on a substantial number of small entities. This direct final rule affects only nuclear power plant licensees and TN Americas LLC. These entities do not fall within the scope of the

definition of small entities set forth in the Regulatory Flexibility Act or the size standards established by the NRC (§ 2.810).

## **XI. Regulatory Analysis**

On July 18, 1990 (55 FR 29181), the NRC issued an amendment to 10 CFR part 72 to provide for the storage of spent nuclear fuel under a general license in cask designs approved by the NRC. Any nuclear power reactor licensee can use NRC-approved cask designs to store spent nuclear fuel if 1) it notifies the NRC in advance; 2) the spent fuel is stored under the conditions specified in the cask's CoC; and 3) the conditions of the general license are met. A list of NRC-approved cask designs is contained in § 72.214. On March 24, 2017 (82 FR 14987), the NRC issued an amendment to 10 CFR part 72 that approved the TN Americas LLC, NUHOMS® EOS Dry Spent Fuel Storage System by adding it to the list of NRC-approved cask designs in § 72.214.

On September 29, 2022, and as supplemented on March 30, 2023, June 28, 2023, April 22, 2024, November 6, 2024, and February 12, 2025, TN Americas LLC submitted a request to amend the NUHOMS® EOS Dry Spent Fuel Storage System as described in section IV, "Discussion of Changes," of this document.

The alternative to this action is to withhold approval of Amendment No. 4 and to require any 10 CFR part 72 general licensee seeking to load spent nuclear fuel into TN Americas LLC, NUHOMS® EOS Dry Spent Fuel Storage System under the changes described in Amendment No. 4 to request an exemption from the requirements of §§ 72.212 and 72.214. Under this alternative, each interested 10 CFR part 72 licensee would have to prepare, and the NRC would have to review, a separate exemption request, thereby increasing the administrative burden upon the NRC and the costs to each licensee.

Approval of this direct final rule is consistent with previous NRC actions. Further,

as documented in the preliminary safety evaluation report and environmental assessment, this direct final rule will have no adverse effect on public health and safety or the environment. This direct final rule has no significant identifiable impact or benefit on other government agencies. Based on this regulatory analysis, the NRC concludes that the requirements of this direct final rule are commensurate with the NRC's responsibilities for public health and safety and the common defense and security. No other available alternative is believed to be as satisfactory; therefore, this action is justified.

## **XII. Backfitting and Issue Finality**

The NRC has determined that this direct final rule does not constitute backfitting under § 72.62. This direct final rule adds an amendment to CoC No. 1042 for the TN Americas LLC, NUHOMS® EOS Dry Spent Fuel Storage System, as currently listed in § 72.214. The amendment consists of the changes in Amendment No. 4 previously described, as set forth in the amended CoC and TS.

Amendment No. 4 to CoC No. 1042 for the TN Americas LLC, NUHOMS® EOS Dry Spent Fuel Storage System was initiated by TN Americas LLC and was not submitted in response to new NRC requirements or an NRC request for amendment. Certificate of compliance holders like TN Americas LLC are not within the scope of the backfit rule in § 72.62 because they do not hold a 10 CFR part 72 license. Additionally, Amendment No. 4 applies only to new casks fabricated and used under Amendment No. 4. These changes do not affect existing users of the TN Americas LLC, NUHOMS® EOS Dry Spent Fuel Storage System, and the previous Amendment No. 3 continues to be effective for existing users. Although current users of this storage system may comply with the new requirements in Amendment No. 4, this would be a voluntary decision on the part of current users. Therefore, Amendment No. 4 does not meet the definition of backfitting in § 72.62.

For these reasons, Amendment No. 4 to CoC No. 1042 does not constitute backfitting under § 72.62.

### **XIII. Regulatory Planning and Review**

Executive Order (E.O.) 12866, as amended by E.O. 14215, provides that the Office of Information and Regulatory Affairs (OIRA) will determine whether a regulatory action is significant as defined by E.O. 12866 and will review significant regulatory actions. OIRA determined that this direct final rule is not a significant regulatory action under E.O. 12866.

### **XIV. Congressional Review Act**

This direct final rule is not a rule as defined in the Congressional Review Act.

### **XV. Availability of Documents**

The documents identified in the following table are available to interested persons as indicated.

DOCUMENT	ADAMS ACCESSION NO. / <i>FEDERAL REGISTER</i> CITATION
Proposed Certificate of Compliance	
"Proposed CoC No.1042 - EOS Amendment No. 4"	ML25078A250
Preliminary Safety Evaluation Report	
"PSER - EOS Amendment No. 4"	ML25078A252
Proposed Conditions for Cask Use and Technical Specifications	
"Proposed Technical Specifications - EOS Amendment No. 4"	ML25078A251
Environmental Documents	

“Storage of Spent Fuel In NRC-Approved Storage Casks at Power Reactor Sites” Final Rule (July 18, 1990)	55 FR 29181
TN Americas LLC, NUHOMS® EOS Dry Spent Fuel Storage System Amendment Application Documents	
“Application for Amendment 4 to NUHOMS EOS Certificate of Compliance No. 1042, Revision 0 (Docket 72-1042),” September 29, 2022	ML22272A575
“TN Americas LLC Application for Amendment 4 to NUHOMS EOS Certificate of Compliance No. 1042, Revision 1 - Response to Request for Supplemental Information,” March 30, 2023	ML23089A175
“Application for Amendment 4 to NUHOMS EOS Certificate of Compliance No. 1042, Revision 2 (Docket 72-1042, CAC No. 001028, EPID: L-2022-LLA-0017) - Supplemental Responses to Request for Supplemental Information,” June 28, 2023	ML23179A120
“TN Americas LLC, Application for Amendment 4 to NUHOMS EOS Certificate of Compliance No. 1042, Revision 3 (Docket 72-1042, CAC No. 001028, EPID: L-2022-LLA-0017) – Response to Request for Additional Information,” April 22, 2024	ML24113A307
“Application for Amendment 4 to NUHOMS EOS Certificate of Compliance No. 1042, Revision 4 (Docket 72-1042, CAC No. 001028, EPID: L-2022-LLA-0017) – Revised Response to Request for Additional Information,” November 6, 2024	ML24311A209
“Application for Amendment 4 to NUHOMS EOS Certificate of Compliance No. 1042, Revision 5 (Docket 72-1042, CAC No. 001028, EPID: L-2022-LLA-0017) - Supplemental Responses to Request for Additional Information,” February 12, 2025	ML25043A122
Other Documents	
“Agreement State Program Policy Statement; Correction.” (October 18, 2017)	82 FR 48535
Presidential Memorandum, “Plain Language in Government Writing.” (June 10, 1998)	63 FR 31885
List of Approved Spent Fuel Storage Casks: TN Americas LLC, NUHOMS® EOS Dry Spent Fuel Storage System, Certificate of Compliance No. 1042: Direct Final Rule, March 24, 2017	82 FR 14987
List of Approved Spent Fuel Storage Casks: TN Americas LLC, NUHOMS® EOS Dry Spent Fuel Storage System, Certificate of Compliance No. 1042, Amendment 3: Direct Final Rule, May 2, 2023	88 FR 27397

The NRC may post materials related to this document, including public comments, on the Federal rulemaking website at <https://www.regulations.gov> under Docket ID NRC-2025-0070. In addition, the Federal rulemaking website allows members of the public to receive alerts when changes or additions occur in a docket folder. To

subscribe: 1) navigate to the docket folder NRC-2025-0070; 2) click the “Subscribe” link; and 3) enter an email address and click on the “Subscribe” link.

### **List of Subjects in 10 CFR Part 72**

Administrative practice and procedure, Hazardous waste, Indians, Intergovernmental relations, Nuclear energy, Penalties, Radiation protection, Reporting and recordkeeping requirements, Security measures, Spent fuel, Whistleblowing.

For the reasons set out in the preamble and under the authority of the Atomic Energy Act of 1954, as amended; the Energy Reorganization Act of 1974, as amended; the Nuclear Waste Policy Act of 1982, as amended; and 5 U.S.C. 552 and 553; the NRC is adopting the following amendments to 10 CFR part 72:

### **PART 72 - LICENSING REQUIREMENTS FOR THE INDEPENDENT STORAGE OF SPENT NUCLEAR FUEL, HIGH-LEVEL RADIOACTIVE WASTE, AND REACTOR-RELATED GREATER THAN CLASS C WASTE**

1. The authority citation for part 72 continues to read as follows:

**Authority:** Atomic Energy Act of 1954, secs. 51, 53, 57, 62, 63, 65, 69, 81, 161, 182, 183, 184, 186, 187, 189, 223, 234, 274 (42 U.S.C. 2071, 2073, 2077, 2092, 2093, 2095, 2099, 2111, 2201, 2210e, 2232, 2233, 2234, 2236, 2237, 2238, 2273, 2282, 2021); Energy Reorganization Act of 1974, secs. 201, 202, 206, 211 (42 U.S.C. 5841, 5842, 5846, 5851); National Environmental Policy Act of 1969 (42 U.S.C. 4332); Nuclear Waste Policy Act of 1982, secs. 117(a), 132, 133, 134, 135, 137, 141, 145(g), 148, 218(a) (42 U.S.C. 10137(a), 10152, 10153, 10154, 10155, 10157, 10161, 10165(g), 10168, 10198(a)); 44 U.S.C. 3504 note.

2. In § 72.214, Certificate of Compliance No. 1042 is revised to read as follows:

#### **§ 72.214 List of approved spent fuel storage casks.**

\* \* \* \* \*

Certificate Number: 1042.

Initial Certificate Effective Date: June 7, 2017.

Amendment Number 1 Effective Date: June 17, 2020.

Amendment Number 2 Effective Date: October 26, 2021.

Amendment Number 3 Effective Date: July 17, 2023.

Amendment Number 4 Effective Date: **[INSERT DATE 75 DAYS AFTER  
PUBLICATION IN THE *FEDERAL REGISTER*].**

SAR Submitted by: TN Americas LLC.

SAR Title: Final Safety Analysis Report for the NUHOMS® EOS Dry Spent Fuel Storage System.

Docket Number: 72-1042.

Certificate Expiration Date: June 7, 2037.

Model Number: EOS-37PTH, EOS-89BTH, 61BTH Type 2.

\* \* \* \* \*

Dated: July 17, 2025.

For the Nuclear Regulatory Commission.

Michael King  
Acting Executive Director for Operations.

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