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[7590-01-P]

NUCLEAR REGULATORY COMMISSION

10 CFR Part 72

[NRC-2026-2047]

RIN 3150-AL68

List of Approved Spent Fuel Storage Casks: NAC International, Inc., MAGNASTOR® Storage System, Certificate of Compliance No. 1031, Amendment Nos. 16 and 17 and Revisions to Amendment Nos. 0 through 16

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 NAC International, Inc. (NAC) MAGNASTOR® System listing within the "List of approved spent fuel storage casks" to include Amendment Nos. 16 and 17 and revisions to Amendment Nos. 0 through 16 to Certificate of Compliance (CoC) No. 1031. Amendment No. 16 revises the CoC to permit alternate methods for determining the free volume inside a loaded canister and for measuring helium to ensure that Technical Specification limits are met. It also clarifies that mixed loadings of different assembly types or subtypes within a single Transportable Storage Canister (TSC) are acceptable. Amendment No. 17 and revisions to Amendment Nos. 0 through 16 revise the CoC to incorporate changes to the design basis for the MAGNASTOR® storage system to correct an error with M5 fuel cladding material yield strength that was introduced in CoC No. 1031, Amendment No. 14 and the associated revisions to Amendment Nos. 0 through 13.

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 If this direct final rule is withdrawn as a result of such comments, timely notice of the withdrawal will be published in the *Federal Register*.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 only for 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-2026-2047, 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.

Do not include any personally identifiable information (such as name, address, or other contact information) or confidential business information that you do not want publicly disclosed. All comments are public records; they are publicly displayed exactly as received, and will not be deleted, modified, or redacted. Comments may be submitted anonymously.

Follow the search instructions on https://www.regulations.gov to view public comments.

You can read a plain language description of this direct final rule at https://www.regulations.gov/docket/NRC-2026-2047. 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: Caylee Kenny, Office of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, Washington DC 20555-0001; telephone: 301-415-7150, email: Caylee.Kenny@nrc.gov.

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I. Obtaining Information and Submitting Comments

A. Obtaining Information

Please refer to Docket ID NRC-2026-2047 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-2026-2047. Address questions about NRC dockets to Helen Chang, telephone: 301-415-3228, email: 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 ADAMS Public 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. 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 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-2026-2047 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

This rule is limited to the changes contained in Amendment Nos. 16 and 17 and revisions to Amendments Nos. 0 through 16 to Certificate of Compliance (CoC) No. 1031 and does not include other aspects of the NAC International, Inc., MAGNASTOR® System design. The NRC is using the “direct final rule procedure” to issue this amendment because it represents a limited and routine change to an existing CoC that is expected to be non-controversial. 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 any significant adverse comment 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.

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 November 21, 2008 (73 FR 70587), that approved the NAC MAGNASTOR® System design and added it to the list of NRC-approved cask designs in § 72.214 as CoC No. 1031.

IV. Discussion of Changes

On March 21, 2025, NAC International, Inc. submitted a request to the NRC to add Amendment No. 16 to CoC 1031. NAC supplemented its request on April 18, 2025. Amendment No. 16 revises the CoC to:

- Allow an alternate method to determine the free volume inside a loaded canister.
- Allow an alternate method to measure the amount of helium placed inside the canister to ensure that Technical Specification limits for Helium density inside the TSC are met.
- Clarify that mixed loadings of different assembly types and/or assembly subtypes within a single TSC are acceptable.

On July 30, 2025, NAC International, Inc. submitted a request to the NRC to amend CoC No. 1031 to add Amendment No. 17 and revisions to Amendment Nos. 0-16. NAC supplemented its request on the following dates: March 4, 2026, and March 13, 2026. Amendment No. 17 and revisions to Amendment Nos. 0 through 16 revise the CoC to incorporate changes to the design basis for the MAGNASTOR® storage system to correct an error with M5 fuel cladding material yield strength that was introduced in CoC No. 1031, Amendment No. 14 and the associated revisions to Amendment Nos. 0 through 13.

The changes to the aforementioned documents are identified with revisions bars in the margin of each document.

As documented in the preliminary safety evaluation reports, the NRC performed safety evaluations of the proposed CoC amendment requests. The NRC determined that these amendments do 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 Nos.16 and 17 and revisions to Amendment Nos. 0 through 16 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 staff determined that the amended MAGNASTOR® system cask design, when used under the conditions specified in the CoC, the technical specifications, 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. 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 MAGNASTOR® casks that meet the criteria of Amendment Nos. 16 and 17 and revisions to Amendment Nos. 0 through 16 to CoC No. 1031.

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 MAGNASTOR® Cask 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.

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).

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-429-00-000-1777512751.

A. The Action

The action is to amend § 72.214 to revise the NAC International, Inc., MAGNASTOR® system listing within the “List of approved spent fuel storage casks” to include Amendment Nos. 16 and 17 and revisions to Amendment Nos. 0 through 16 to CoC No. 1031.

B. The Need for the Action

This direct final rule amends the CoC for the NAC International, Inc., MAGNASTOR® 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. 16 revises the CoC to allow an alternate method to determine the free volume inside a loaded canister, allow an alternate method to measure the amount of helium placed inside the canister to assure that Technical Specification limits for Helium density inside the TSC are met, and clarify that mixed loadings of different assembly types and/or assembly subtypes within a single TSC is acceptable. Amendment No. 17 and revisions to Amendment Nos. 0 through 16 revises the CoC to incorporate changes to the design basis for the MAGNASTOR® storage system to correct an error with M5 fuel cladding material yield strength that was introduced in CoC No. 1031, Amendment No. 14 and the associated revisions to Amendment Nos. 0 through 13.

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 Amendment Nos. 16 and 17 and revisions to Amendment Nos. 0 through 16 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 NAC International, Inc., MAGNASTOR® 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 Nos. 16 and 17 and revisions to Amendment Nos. 0 through 16 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 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 reports.

D. Alternative to the Action

The alternative to this action is to deny approval of Amendment Nos. 16 and 17 and revision to Amendment Nos. 0 through 16 and not issue the direct final rule. Consequently, any 10 CFR part 72 general licensee that seeks to load spent nuclear fuel into the NAC International, Inc., MAGNASTOR® system in accordance with the changes described in proposed Amendment Nos. 16 and 17 and revision to Amendment Nos. 0 through 16 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 Nos. 16 and 17 and revision to Amendment Nos. 0 through 16 to CoC No. 1031 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: MAGNASTOR®, CoC No. 1031, Amendment Nos. 16 and 17 and revisions to Amendment Nos. 0 through 16," 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. 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.

X. 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 collection of information unless the document requesting or requiring the collection displays a currently valid OMB control number.

XI. 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 NAC. 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).

XII. 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 November 21, 2008 (73 FR 70587), the NRC issued an amendment to 10 CFR part 72 that approved the NAC International, Inc., MAGNASTOR® system by adding it to the list of NRC-approved cask designs in § 72.214.

On March 21, 2025, and as supplemented on April 18, 2025, NAC submitted a request for Amendment No. 16 to amend the MAGNASTOR® system. On July 30, 2025, and as supplemented on March 4, 2026, and March 13, 2026, NAC submitted a request for Amendment No. 17 and revisions to Amendment Nos. 0 through 16 to amend the MAGNASTOR® system as described in Section IV, "Discussion of Changes," of this document.

The alternative to this action is to withhold approval of Amendment Nos. 16 and 17 and revisions to Amendment Nos. 0 through 16 and to require any 10 CFR part 72 general licensee seeking to load spent nuclear fuel into the NAC International, Inc., MAGNASTOR® system under the changes described in Amendment Nos. 16 and 17 and revisions to Amendment Nos. 0 through 16 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 reports 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 recommended.

XIII. Backfitting and Issue Finality

This direct final rule revises CoC No. 1031 for the NAC International, Inc., MAGNASTOR® storage system, as currently listed in 10 CFR 72.214, "List of approved spent fuel storage casks." Revisions to Amendment Nos. 0 through 16 (specifically, Initial Certificate, Revision 4; Amendment No. 1, Revision 4; Amendment No. 2, Revision 4; Amendment No. 3, Revision 4; Amendment No. 4, Revision 3; Amendment No. 5, Revision 3; Amendment No. 6, Revision 3; Amendment No. 7, Revision 3; Amendment No. 8, Revision 3; Amendment No. 9, Revision 3; Amendment No. 10, Revision 2; Amendment No. 11, Revision 2; Amendment No. 12, Revision 2; Amendment No. 13, Revision 2; Amendment No. 14, Revision 1; Amendment No. 15, Revision 1; and Amendment No. 16, Revision 1), changes the design basis for the MAGNASTOR® storage system to correct an error with M5 fuel cladding material yield strength that was introduced in CoC No. 1031, Amendment No. 14 and the associated revisions to Amendment Nos. 0 through 13. For the reasons set forth in this section, the NRC has determined that this direct final rule does not constitute backfitting under 10 CFR 72.62, "Backfitting."

As stated in § 72.62(a), "backfitting" means the "addition, elimination or modification, after the license has been issued, of: (1) Structures, systems, or components of an ISFSI [independent spent fuel storage installation]…, or (2) Procedures or organization required to operate an ISFSI." NAC is not within the scope of the backfitting provisions in § 72.62 because the provisions of § 72.62 are applicable to the NRC actions that affect general licensees, not vendors.

According to NAC, no general licensees have purchased or use the system under CoC No. 1031, Amendment Nos. 0-5, Amendment No. 8, Amendment Nos. 10-12, Amendment No. 14, and Amendment No. 16, which is the subject of this revision. This NRC action would not result in an addition, elimination, or modification of a structure,

system, or component of a general licensee's ISFSI or the procedures or organization required to operate a general licensee's ISFSI. Therefore, the changes in Amendment No. 0, Revision 4; Amendment No. 1, Revision 4; Amendment No. 2, Revision 4; Amendment No. 3, Revision 4; Amendment No. 4, Revision 3; Amendment No. 5, Revision 3; Amendment No. 8, Revision 3; Amendment No. 10, Revision 2; Amendment No. 11, Revision 2; Amendment No. 12, Revision 2; Amendment No. 14, Revision 1; and Amendment No. 16, Revision 1 that are approved in this direct final rule do not fall within the definition of backfitting under § 72.62.

According to NAC, two general licensees have purchased or use casks from NAC under existing CoC No. 1031, Amendment No. 6, Revision 2, which is the subject of this revision. This NRC action would result in a change in procedures or organization required to operate an ISFSI and, therefore, would constitute backfitting under § 72.62(a)(2). However, in this instance, the general licensees (Kewaunee Solutions for the Kewaunee ISFSI, and Constellation Energy Generation LLC for the Zion Nuclear Power Station, Units 1 and 2 ISFSI) indicated their willingness to voluntarily comply with the revised CoC and implement the CoC revision after approval. Because the general licensees intend to voluntarily implement the revision, the NRC's action would not be imposing the technical change on the licensees, thereby eliminating the potential backfitting. Therefore, the issuance of Revision 3 to Amendment No. 6 does not fall within the definition of backfitting under 10 CFR 72.62.

According to NAC, one general licensee has purchased or uses casks from NAC under existing CoC No. 1031, Amendment No. 7, Revision 2, which is the subject of this revision. This NRC action would result in a change in procedures or organization required to operate an ISFSI and, therefore, would constitute backfitting under 10 CFR 72.62(a)(2). However, in this instance, the general licensee (Arizona Public Service for the Palo Verde Generating Station ISFSI) indicated its willingness to voluntarily comply with the revised CoC and implement the latest Amendment No. 17 when approved. Because the general licensee intends to voluntarily implement the latest Amendment No.

17, the NRC's action would not be imposing the technical change on the licensee, thereby eliminating the potential backfitting. Therefore, the issuance of Revision 3 to Amendment No. 7 does not fall within the definition of backfitting under 10 CFR 72.62.

According to NAC, one general licensee has purchased or uses casks from NAC under existing CoC No. 1031, Amendment No. 9, Revision 2, which is the subject of this revision. This NRC action would result in a change in procedures or organization required to operate an ISFSI and, therefore, would constitute backfitting under 10 CFR 72.62(a)(2). However, in this instance, the general licensee (Constellation Energy Generation LLC for Christopher M. Crane Clean Energy Center, Unit 1 ISFSI) indicated its willingness to voluntarily comply with the revised CoC and implement the CoC revision after approval. Because the general licensee intends to voluntarily implement the revision, the NRC's action would not be imposing the technical change on the licensee, thereby eliminating the potential backfitting. Therefore, the issuance of Revision 3 to Amendment No. 9 does not fall within the definition of backfitting under 10 CFR 72.62.

According to NAC, one general licensee has purchased or uses casks from NAC under existing CoC No. 1031, Amendment No. 13, Revision 1, which is the subject of this revision. This NRC action would result in a change in procedures or organization required to operate an ISFSI and, therefore, would constitute backfitting under 10 CFR 72.62(a)(2). However, in this instance, the general licensee (Three Mile Island Nuclear Station, Unit 2 Solutions for the Three Mile Island Nuclear Station, Unit 2 ISFSI) indicated its willingness to voluntarily comply with the revised CoC and implement the CoC revision after approval. Because the general licensee intends to voluntarily implement the revision, the NRC's action would not be imposing the technical change on the licensee, thereby eliminating the potential backfitting. Therefore, the issuance of Revision 2 to Amendment No. 13 does not fall within the definition of backfitting under 10 CFR 72.62.

According to NAC, one general licensee has purchased or uses casks from NAC

under existing CoC No. 1031, Amendment No. 15, which is the subject of this revision. This NRC action would result in a change in procedures or organization required to operate an ISFSI and, therefore, would constitute backfitting under 10 CFR 72.62(a)(2). However, in this instance, the general licensee (Duke Energy for the Catawba ISFSI and McGuire ISFSI) indicated its willingness to voluntarily comply with the revised CoC and implement the latest Amendment No. 17 when approved. Because the general licensee intends to voluntarily implement the latest Amendment No. 17, the NRC's action would not be imposing the technical change on the licensee, thereby eliminating the potential backfitting. Therefore, the issuance of Revision 1 to Amendment No. 15 does not fall within the definition of backfitting under 10 CFR 72.62.

XIV. Congressional Review Act

This direct final rule is not a rule as defined in the Congressional Review Act (5 U.S.C. 801-808).

XV. Availability of Documents

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

DOCUMENT	ADAMS ACCESSION NO. / WEB LINK / *FEDERAL REGISTER* CITATION
Documents Related to Initial Certificate (Amendment No. 0), Revision 4	
Proposed CoC 1031 Amendment No. 0 Revision 4	ML26098A208
Proposed CoC 1031 Amendment No. 0 Revision 4 Technical Specifications (TS) Appendix A	ML26098A209
Proposed CoC 1031 Amendment No. 0 Revision 4 TS Appendix B	ML26098A210
Documents Related to Amendment No. 1, Revision 4	
Proposed CoC 1031 Amendment No. 1 Revision 4	ML26098A211
Proposed CoC 1031 Amendment No. 1 Revision 4 TS Appendix A	ML26098A212
Proposed CoC 1031 Amendment No. 1 Revision 4 TS Appendix B	ML26098A213
Documents Related to Amendment No. 2, Revision 4	

Proposed CoC 1031 Amendment No. 2 Revision 4	ML26098A214
Proposed CoC 1031 Amendment No. 2 Revision 4 TS Appendix A	ML26098A215
Proposed CoC 1031 Amendment No. 2 Revision 4 TS Appendix B	ML26098A216
Documents Related to Amendment No. 3, Revision 4	
Proposed CoC 1031 Amendment No. 3 Revision 4	ML26098A217
Proposed CoC 1031 Amendment No. 3 Revision 4 TS Appendix A	ML26098A218
Proposed CoC 1031 Amendment No. 3 Revision 4 TS Appendix B	ML26098A219
Documents Related to Amendment No. 4, Revision 3	
Proposed CoC 1031 Amendment No. 4 Revision 3	ML26098A220
Proposed CoC 1031 Amendment No. 4 Revision 3 TS Appendix A	ML26098A221
Proposed CoC 1031 Amendment No. 4 Revision 3 TS Appendix B	ML26098A222
Documents Related to Amendment No. 5, Revision 3	
Proposed CoC 1031 Amendment No. 5 Revision 3	ML26098A223
Proposed CoC 1031 Amendment No. 5 Revision 3 TS Appendix A	ML26098A225
Proposed CoC 1031 Amendment No. 5 Revision 3 TS Appendix B	ML26098A227
Documents Related to Amendment No. 6, Revision 3	
Proposed CoC 1031 Amendment No. 6 Revision 3	ML26098A228
Proposed CoC 1031 Amendment No. 6 Revision 3 TS Appendix A	ML26098A229
Proposed CoC 1031 Amendment No. 6 Revision 3 TS Appendix B	ML26098A230
Documents Related to Amendment No. 7, Revision 3	
Proposed CoC 1031 Amendment No. 7 Revision 3	ML26098A231
Proposed CoC 1031 Amendment No. 7 Revision 3 TS Appendix A	ML26098A232
Proposed CoC 1031 Amendment No. 7 Revision 3 TS Appendix B	ML26098A233
Documents Related to Amendment No. 8, Revision 3	
Proposed CoC 1031 Amendment No. 8 Revision 3	ML26098A234
Proposed CoC 1031 Amendment No. 8 Revision 3 TS Appendix A	ML26098A235
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Documents Related to Amendment No. 9, Revision 3	
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Proposed CoC 1031 Amendment No. 9 Revision 3 TS Appendix A	ML26098A238
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Proposed CoC 1031 Amendment No. 10 Revision 2, TS Appendix A	ML26098A241
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Documents Related to Amendment No. 11, Revision 2	
Proposed CoC 1031 Amendment No. 11 Revision 2	ML26098A243
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Documents Related to Amendment No. 13, Revision 2	
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Documents Related to Amendment No. 15, Revision 1	
Proposed CoC 1031 Amendment No. 15 Revision 1	ML26098A255
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Proposed CoC 1031 Amendment No. 15 Revision 1 TS Appendix B	ML26098A257
Documents Related to Amendment No. 16, Revision 0	
Proposed CoC 1031 Amendment No. 16, Revision 0	ML25217A298
Proposed CoC 1031 Amendment No. 16 Revision 0 TS Appendix A	ML25217A300
Proposed CoC 1031 Amendment No. 16 Revision 0 TS Appendix B	ML25217A302
Preliminary Safety Evaluation Report for CoC 1031 Amendment 16 Revision 0	ML25217A304
Initial Submission of an Amendment Request for the NAC International MAGNASTOR® Cask System Amendment No. 16, March 21, 2025	ML25080A349
Supplement to NAC International's Request to Amendment MAGNASTOR® Cask System, Amendment No. 16, April 18, 2025	ML25108A159
Documents Related to Amendment No. 16, Revision 1	
Proposed CoC 1031 Amendment No. 16 Revision 1	ML26098A258
Proposed CoC 1031 Amendment No. 16 Revision 1 TS Appendix A	ML26098A259
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Documents Related to Amendment No. 17, Revision 0 and Revisions to Amendment Nos. 0 through 16	
Proposed CoC 1031 Amendment No. 17	ML26098A262
Proposed CoC 1031 Amendment No. 17 TS Appendix A	ML26098A263
Proposed CoC 1031 Amendment No. 17 TS Appendix B	ML26098A264
Preliminary Safety Evaluation Report, CoC No. 1031, Amendment 17 and Revisions to Amendments 0-16	ML26098A207
NAC International - Initial Submission of an Amendment Request for the NAC International MAGNASTOR® Cask System Amendment No. 17, July 30, 2025	ML25211A197
Submission of a Supplement to Amendment Request No. 17 for the NAC International MAGNASTOR® Cask System, March 4, 2026	ML26064A039
Submission of a Supplement to Amendment Request No. 17 for the NAC International MAGNASTOR® Cask System, March 13, 2026	ML26075E865
Other Documents	
User Need Memorandum for Amendment No. 16	ML25217A296

User Need Memorandum for Amendment No. 17 and Revisions to Amendment Nos. 0 through 16	ML26098A206
Final Rule, “List of Approved Spent Fuel Storage Casks: MAGNASTOR® Addition,” published November 21, 2008	73 FR 70587
Revision to Policy Statement, “Agreement State Program Policy Statement; Correction,” published October 18, 2017	82 FR 48535
Presidential Memorandum, “Plain Language in Government Writing,” published June 10, 1998	63 FR 31885

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-2026-2047. 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-2026-2047); 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. 1031 is revised to read as follows:

§ 72.214 List of approved spent fuel storage casks.

* * * * *

Certificate Number: 1031

Initial Certificate Effective Date: February 4, 2009, superseded by Initial Certificate, Revision 1, on February 1, 2016, superseded by Initial Certificate, Revision 2, on October 16, 2023, superseded by Initial Certificate, Revision 3, on March 19, 2025**,** superseded by Initial Certificate, Revision 4, on **[INSERT DATE 75 DAYS FROM DATE OF PUBLICATION IN THE FEDERAL REGISTER]**.

Amendment Number 1 Effective Date: August 30, 2010, superseded by Amendment Number 1, Revision 1, on February 1, 2016, superseded by Amendment Number 1, Revision 2, on October 16, 2023, superseded by Amendment Number 1, Revision 3, on March 19, 2025**,** superseded by Amendment Number 1, Revision 4, on **[INSERT DATE 75 DAYS FROM DATE OF PUBLICATION IN THE FEDERAL REGISTER]**.

Amendment Number 2 Effective Date: January 30, 2012, superseded by Amendment Number 2, Revision 1, on February 1, 2016, superseded by Amendment Number 2, Revision 2, on October 16, 2023, superseded by Amendment Number 2, Revision 3, on March 19, 2025**,** superseded by Amendment Number 2, Revision 4, on **[INSERT DATE 75 DAYS FROM DATE OF PUBLICATION IN THE FEDERAL REGISTER]**.

Amendment Number 3 Effective Date: July 25, 2013, superseded by Amendment Number 3, Revision 1, on February 1, 2016, superseded by Amendment Number 3, Revision 2, on October 16, 2023, superseded by Amendment Number 3, Revision 3, on March 19, 2025, superseded by Amendment Number 3, Revision 4, on **[INSERT DATE 75 DAYS FROM DATE OF PUBLICATION IN THE FEDERAL REGISTER]**.

Amendment Number 4 Effective Date: April 14, 2015, superseded by Amendment

Number 4, Revision 1, on October 16, 2023, superseded by Amendment Number 4, Revision 2, on March 19, 2025, superseded by Amendment Number 4, Revision 3, on **[INSERT DATE 75 DAYS FROM DATE OF PUBLICATION IN THE FEDERAL REGISTER]**.

Amendment Number 5 Effective Date: June 29, 2015, superseded by Amendment Number 5, Revision 1, on October 16, 2023, superseded by Amendment Number 5, Revision 2, on March 19, 2025, superseded by Amendment Number 5, Revision 3, on **[INSERT DATE 75 DAYS FROM DATE OF PUBLICATION IN THE FEDERAL REGISTER]**.

Amendment Number 6 Effective Date: December 21, 2016, superseded by Amendment Number 6, Revision 1, on October 16, 2023, superseded by Amendment Number 6, Revision 2, on March 19, 2025, superseded by Amendment Number 6, Revision 3, on **[INSERT DATE 75 DAYS FROM DATE OF PUBLICATION IN THE FEDERAL REGISTER]**.

Amendment Number 7 Effective Date: August 21, 2017, as corrected (ADAMS Accession No. ML19045A346), superseded by Amendment Number 7, Revision 1, on October 16, 2023, superseded by Amendment Number 7, Revision 2, on March 19, 2025, superseded by Amendment Number 7, Revision 3, on **[INSERT DATE 75 DAYS FROM DATE OF PUBLICATION IN THE FEDERAL REGISTER]**.

Amendment Number 8, Effective Date: March 24, 2020, superseded by Amendment Number 8, Revision 1, on October 16, 2023, superseded by Amendment Number 8, Revision 2, on March 19, 2025, superseded by Amendment Number 8, Revision 3, on **[INSERT DATE 75 DAYS FROM DATE OF PUBLICATION IN THE FEDERAL REGISTER]**.

Amendment Number 9, Effective Date: December 7, 2020, superseded by Amendment Number 9, Revision 1, on October 16, 2023, superseded by Amendment Number 9, Revision 2, on March 19, 2025, superseded by Amendment Number 9, Revision 3, on **[INSERT DATE 75 DAYS FROM DATE OF PUBLICATION IN THE FEDERAL**

REGISTER].

Amendment Number 10, Effective Date: January 18, 2023, superseded by Amendment Number 10, Revision 1, on March 19, 2025, superseded by Amendment Number 10, Revision 2, on **[INSERT DATE 75 DAYS FROM DATE OF PUBLICATION IN THE FEDERAL REGISTER]**.

Amendment Number 11, Effective Date: October 16, 2023, superseded by Amendment Number 11, Revision 1, on March 19, 2025, superseded by Amendment Number 11, Revision 2, on **[INSERT DATE 75 DAYS FROM DATE OF PUBLICATION IN THE FEDERAL REGISTER]**.

Amendment Number 12, Effective Date: October 16, 2023, superseded by Amendment Number 12, Revision 1, on March 19, 2025, superseded by Amendment Number 12, Revision 2, on **[INSERT DATE 75 DAYS FROM DATE OF PUBLICATION IN THE FEDERAL REGISTER]**.

Amendment Number 13, Effective Date: November 19, 2024, superseded by Amendment Number 13, Revision 1, on March 19, 2025, superseded by Amendment Number 13, Revision 2, on **[INSERT DATE 75 DAYS FROM DATE OF PUBLICATION IN THE FEDERAL REGISTER]**.

Amendment Number 14, Effective Date: March 19, 2025, superseded by Amendment Number 14, Revision 1, on **[INSERT DATE 75 DAYS FROM DATE OF PUBLICATION IN THE FEDERAL REGISTER].**

Amendment Number 15, Effective Date: June 3, 2025, superseded by Amendment Number 15, Revision 1, on **[INSERT DATE 75 DAYS FROM DATE OF PUBLICATION IN THE FEDERAL REGISTER]**.

Amendment Number 16, Effective Date: **[INSERT DATE 75 DAYS FROM DATE OF PUBLICATION IN THE FEDERAL REGISTER]**, superseded by Amendment Number 16, Revision 1, on **[INSERT DATE 75 DAYS FROM DATE OF PUBLICATION IN THE FEDERAL REGISTER].**

Amendment Number 17, Effective Date: **[INSERT DATE 75 DAYS FROM DATE OF**

PUBLICATION IN THE FEDERAL REGISTER].

Safety Analysis Report (SAR) Submitted by: NAC International, Inc.

SAR Title: Final Safety Analysis Report for the MAGNASTOR® System.

Docket Number: 72–1031.

Certificate Expiration Date: February 4, 2029.

Model Number: MAGNASTOR.

* * * * *

Dated: June 17, 2026.

For the Nuclear Regulatory Commission.

Michael King,
Executive Director of Operations

[FR Doc. 2026-13260 Filed: 6/30/2026 8:45 am; Publication Date: 7/1/2026]