

management and site restoration activities (see NRC Regulatory Issue Summary 2001–07, “10 CFR 50.75 Reporting and Recordkeeping for Decommissioning Planning,” Revision 1, dated January 8, 2009 (ML083440158), and Regulatory Guide 1.184, “Decommissioning of Nuclear Power Reactors,” Revision 1, dated October 2013 (ML13144A840)). Preventing access to those excess funds in DTFs because spent fuel management and site restoration activities are not associated with radiological decommissioning would create an unnecessary financial burden without any corresponding safety benefit. The adequacy of the KPS DTF to cover the cost of activities associated with site restoration, in addition to radiological decommissioning and spent fuel management, is supported by the licensees’ SSDCE for KPS. If the KPS DTF cannot be used for site restoration activities, the licensees would need to obtain additional funding that would not be recoverable from the DTF, or would have to modify the decommissioning approach and methods planned at KPS. The NRC staff concludes that either outcome would impose an unnecessary and undue burden significantly in excess of that contemplated when 10 CFR 50.82(a)(8)(i)(A) and 10 CFR 50.75(h)(1)(iv) were adopted.

The underlying purpose of 10 CFR 50.82(a)(8)(i)(A) and 10 CFR 50.75(h)(1)(iv) would continue to be achieved by allowing the licensees to use a portion of the KPS DTF for site restoration activities without prior NRC notification, and compliance with the regulations would result in an undue hardship or other costs that are significantly in excess of those contemplated when the regulations were adopted. Thus, the special circumstances required by 10 CFR 50.12(a)(2)(ii) and (iii) exist and support the approval of the requested exemption.

#### *E. Environmental Considerations*

In accordance with paragraph (a) of 10 CFR 51.31, “Determinations based on environmental assessment,” the Commission has determined that the granting of this exemption will not have a significant effect on the quality of the human environment, as discussed in the NRC staff’s Environmental Assessment and Finding of No Significant Impact published on January 25, 2024 (89 FR 4999).

#### **IV. Conclusion**

In consideration of the above, the NRC staff finds that the proposed

exemption confirms the adequacy of funding in the KPS DTF, considering growth, to complete radiological decommissioning of the site and to terminate the license, as well as to cover the estimated costs of spent fuel management and site restoration activities.

Accordingly, the Commission has determined that, pursuant to 10 CFR 50.12(a), the exemption is authorized by law, will not present an undue risk to public health and safety, and is consistent with the common defense and security. Also, special circumstances are present. Therefore, the Commission hereby grants Kewaunee Solutions, Inc., and EnergySolutions, LLC an exemption from the requirements of 10 CFR 50.82(a)(8)(i)(A) and 10 CFR 50.75(h)(1)(iv) to allow the use of a portion of the funds from the KPS DTF for site restoration activities in accordance with (1) the licensees’ PSDAR and SSCE, (2) forecasted cost and scheduling information from the most recent KPS DTF Status Report, and (3) as provided in response to the NRC’s RAI on this exemption request.

Additionally, the Commission hereby grants the licensees an exemption from the requirement of 10 CFR 50.75(h)(1)(iv) to allow such withdrawals from the KPS DTF for site restoration activities without prior NRC notification.

This exemption is effective upon issuance.

Dated: January 26, 2024.

For the Nuclear Regulatory Commission.

/RA/

Jane Marshall,  
Director, Division of Decommissioning,  
Uranium Recovery, and Waste Programs,  
Office of Nuclear Material Safety and  
Safeguards.

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#### **POSTAL SERVICE**

##### **International Product Change—Priority Mail Express International, Priority Mail International & First-Class Package International Service Agreement**

**AGENCY:** Postal Service™.

**ACTION:** Notice.

**SUMMARY:** The Postal Service gives notice of filing a request with the Postal Regulatory Commission to add a Priority Mail Express International, Priority Mail International & First-Class Package International Service contract to the list of Negotiated Service Agreements in the

Competitive Product List in the Mail Classification Schedule.

**DATES:** Date of notice: February 22, 2024.

**FOR FURTHER INFORMATION CONTACT:** Christopher C. Meyerson, (202) 268–7820.

**SUPPLEMENTARY INFORMATION:** The United States Postal Service® hereby gives notice that, pursuant to 39 U.S.C. 3642 and 3632(b)(3), on February 2, 2024, it filed with the Postal Regulatory Commission a *USPS Request to Add Priority Mail Express International, Priority Mail International & First-Class Package International Service Contract 36 to Competitive Product List*. Documents are available at [www.prc.gov](http://www.prc.gov), Docket Nos. MC2024–180 and CP2024–186.

**Christopher Doyle,**

*Attorney, Ethics & Legal Compliance.*

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**BILLING CODE 7710–12–P**

#### **POSTAL SERVICE**

##### **International Product Change—Priority Mail Express International, Priority Mail International & Commercial ePacket Agreement**

**AGENCY:** Postal Service™.

**ACTION:** Notice.

**SUMMARY:** The Postal Service gives notice of filing a request with the Postal Regulatory Commission to add a Priority Mail Express International, Priority Mail International & Commercial ePacket contract to the list of Negotiated Service Agreements in the Competitive Product List in the Mail Classification Schedule.

**DATES:** Date of notice: February 22, 2024.

**FOR FURTHER INFORMATION CONTACT:** Christopher C. Meyerson, (202) 268–7820.

**SUPPLEMENTARY INFORMATION:** The United States Postal Service® hereby gives notice that, pursuant to 39 U.S.C. 3642 and 3632(b)(3), on February 7, 2024, it filed with the Postal Regulatory Commission a *USPS Request to Add Priority Mail Express International, Priority Mail International & Commercial ePacket Contract 4 to Competitive Product List*. Documents are available at [www.prc.gov](http://www.prc.gov), Docket Nos. MC2024–186 and CP2024–192.

**Colleen Hibbert-Kapler,**

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**BILLING CODE 7710–12–P**