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PROPOSED RULE **PR 72**  
**(64FR51187)**

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NUCLEAR REGULATORY COMMISSION

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10 CFR Part 72

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List of Approved Spent Fuel Storage Casks: (VSC-24) Revision; Withdrawal of Direct Final Rule

AGENCY: Nuclear Regulatory Commission.

ACTION: Direct final rule; withdrawal.

SUMMARY: The Nuclear Regulatory Commission (NRC) is withdrawing a direct final rule that would have revised the Pacific Sierra Nuclear Associates (PSNA) VSC-24 cask system listing within the "List of Approved Spent Fuel Storage Casks" to include Amendment No. 1 to the Certificate of Compliance. The NRC is taking this action because it has received significant adverse comments in response to an identical proposed rule which was concurrently published with the direct final rule.

FOR FURTHER INFORMATION CONTACT: Stan Turel, Office of Nuclear Regulatory Research, U.S. Nuclear Regulatory Commission, Washington, DC 20555. Telephone (301) 415-6234 (E-mail: [spt@nrc.gov](mailto:spt@nrc.gov)).

SUPPLEMENTARY INFORMATION: On September 22, 1999 (64 FR 51187), the NRC published in the *Federal Register* a direct final rule amending its regulations in 10 CFR 72.214 to revise the PSNA VSC-24 cask system listing within the "List of Approved Spent Fuel Storage Casks" to include Amendment No. 1 to the Certificate of Compliance. Amendment No. 1 modifies the present cask system design to permit a licensee to store burnable poison rod

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assemblies in VSC-24 casks along with the spent fuel under the provisions of the general license issued under 10 CFR 72.210. The direct final rule was to become effective on December 6, 1999. The NRC also concurrently published an identical proposed rule on September 22, 1999 (64 FR 51270).

In the September 22, 1999, direct final rule, NRC stated that if any significant adverse comments were received, a notice of timely withdrawal of the direct final rule would be published in the *Federal Register*. As a result, the direct final rule would not take effect.

On December 3, 1999, the NRC published a document extending the effective date of the direct final rule from December 6, 1999 to January 5, 2000 (64 FR 67700). The NRC received significant adverse comments on the direct final rule; therefore, the NRC is withdrawing the direct final rule. As stated in the September 22, 1999, direct final rule, NRC will address the comments received on the September 22, 1999, companion proposed rule in a subsequent final rule. The NRC will not initiate a second comment period on this action.

Dated at Rockville, Maryland, this 17th day of December, 1999.

For the Nuclear Regulatory Commission.



Carl J. Paperiello  
Acting Executive Director for Operations.