

MEMORANDUM TO: William D. Travers
Executive Director for Operations

FROM: William F. Kane, Director
Office of Nuclear Material Safety
and Safeguards

SUBJECT: FINAL RULE TO REVISE A LISTING IN 10 CFR PART 72 LIST
OF APPROVED SPENT FUEL STORAGE CASKS

Attached for your signature is a final rule (Attachment 1) amending U.S. Nuclear Regulatory Commission (NRC) regulations, by indicating that Amendment No. 1 has been issued to Certificate of Compliance (CoC) No. 1004.

Background: The NRC published a proposed rule "List of Approved Spent Fuel Storage Casks; Revision, NUHOMS 24-P and NUHOMS 52-B" (64 FR 41050, July 29, 1999) to amend CoC No. 1004. The public comment period expired October 12, 1999. The NRC received two comment letters on the proposed rule. One comment was from a user of the NUHOMS spent fuel storage system and the other was from the vendor of the NUHOMS spent fuel storage system. Both commenters supported the overall approach taken in the proposed amendment.

CoC No. 1004 would be revised to indicate that: (1) the name of the person who submitted the Safety Analyst Report (SAR) (i.e., name of the certificate holder) would be changed to "Transnuclear West, Inc."; (2) the title of the SAR would be changed to "Final Safety Analysis Report for the Standardized NUHOMS Horizontal Modular Storage System for Irradiated Nuclear Fuel"; (3) the expiration date for this certificate would be changed to "January 31, 2015"; and (4) a new line of text on the applicability of Amendment No. 1 would be added. This cask design amendment is being added to the list under 10 CFR 72.214, "List of Approved Spent Fuel Storage Casks," to allow holders of power reactor operating licenses to store spent fuel in these casks under general licenses. The certificate contains conditions for use similar to those for other NRC-approved cask designs. However, the CoC for each cask design may differ in some specifics such as certificate number, operating procedures, training exercises, and spent fuel specification.

This cask design, when used in accordance with the conditions specified in the CoC and NRC regulations, will meet the requirements of 10 CFR Part 72; thus, adequate protection of public health and safety would be ensured.

Notices: The appropriate Congressional committees will be notified (Attachment 2). A notice to the Commission that the Executive Director for Operations has signed the attached Federal Register notice is appended for inclusion in the "Daily Staff Notes" (Attachment 3). The "Approved for Publication" notice can be found in (Attachment 4).

CONTACT: Stan Turel, NMSS/IMNS
(301) 415-6234

Resources: Resources to complete the rulemaking are included in the current budget. No additional resources will be needed to implement this rule.

Coordination: The Offices of Administration, Nuclear Reactor Regulation, and Enforcement concur with these amendments. The Office of the General Counsel has no legal objection. The Office of the Chief Financial Officer has reviewed the final rule for resource implications and has no objections. The Office of the Chief Information Officer has reviewed the final rule for information technology and information management implications and concurs in it.

Attachments:

1. FRN of Final Rulemaking
2. Congressional Letters
3. "Daily Staff Notes"
4. "Approved for Publication" Notice
5. Environmental Assessment
6. SBREFA Forms

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