



**UNITED STATES  
NUCLEAR REGULATORY COMMISSION**

WASHINGTON, D.C. 20555-0001

July 27, 1999

**MEMORANDUM TO:**

Jesse L. Funches  
Chief Financial Officer

Samuel J. Collins, Director  
Office of Nuclear Reactor Regulation

Brenda Jo. Shelton, Chief  
Information and Records Management Branch  
Chief Information Officer

Joseph R. Gray, Associate General Counsel  
for Licensing and Regulation  
Office of the General Counsel

James Lieberman, Director  
Office of Enforcement

David L. Meyer, Chief  
Rules and Directive Branch  
Office of Administration

**FROM:**

*for* Donald A. Cool, Director  
Division of Industrial and  
Medical Nuclear Safety, NMSS  
*Josephine M. Piccone*

**SUBJECT:**

FINAL RULE TO REVISE THE 10 CFR PART 72 LIST OF  
APPROVED SPENT FUEL STORAGE CASKS  
(HOLTEC HI-STAR 100)

Your concurrence is requested on the attached memorandum to the EDO transmitting a final rule which will amend the List of Approved Spent Fuel Storage Casks (10 CFR 72.214). The staff is amending its regulations containing the list of approved spent fuel storage cask designs to add a cask system to the "List of Approved Spent Fuel Storage Casks," under the conditions specified in the Certificate of Compliance (CoC). NRC is approving the Holtec International Hi-Star 100 cask system, for storage of spent fuel under the conditions specified in the final CoC. The cask, 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. This amendment would allow the holders of power reactor operating licenses to store spent fuel in the Holtec International Hi-Star 100 cask system under a general license.

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

The following is a summary of this request:

1. Title: 10 CFR Part 72 - "Holtec Hi-Star 100 List of Approved Spent Fuel Storage Casks: Addition"
2. Background: On January 11, 1999 (64 FR 1542), the NRC published a proposed rule to add the Holtec HI-Star 100 cask system to the listing in 10 CFR 72.214. The comment period ended on March 29, 1999. Nine comment letters were received on the proposed rule.

Based on NRC review and analysis of public comments, both the SER and CoC for the Holtec International HI-STAR 100 cask system have been modified. The NRC finds that the cask system, as designed and when fabricated and used in accordance with the conditions specified in its CoC, meets the requirements of 10 CFR Part 72. With this final rule, NRC is approving the use of the Holtec International HI-STAR 100 cask system under the general license in 10 CFR Part 72, Subpart K, by holders of power reactor operating licenses under 10 CFR Part 50. Simultaneously, the NRC will issue a final SER and CoC that will be effective on the effective date of the final rule.

3. Task Leader: Stan Turel, NMSS/IMNS                      415-6234
4. Working Group: P. Brochman, NMSS/SFPO            415-8592  
                          N. Jensen, OGC                                    415-1637  
                          L. Rakovan, OSP -                                    415-2589
5. Steering Group: None
6. Requested Action: Office concurrence.
7. Requested Completion Date: To meet the Chairman's Tracking List date of August 1999, concurrence is requested two weeks from the date of this memorandum. To meet the deadline, a meeting will be scheduled during the week of August 9, 1999, if needed, to discuss and resolve any remaining issues/concerns that are delaying concurrence. Please plan on having an official who can concur for your office available for this meeting. If no issues are identified and all concurrences received, this meeting will be canceled.
8. Enhanced Public Participation: No
9. Compatibility for Agreement States: No.

10. Resources and Coordination: A copy of this concurrence package has been forwarded to the IG for information. Time spent reviewing this package should be recorded under RITS # 221AHA, TAC # L21213.

Attachment: EDO memo w/attachments

cc w/att:

H. T. Bell, OIG

H. Miller, RI/ORA

L. Reyes, RII/ORA

J. E. Dyer, RIII/ORA

E. W. Merschoff, RIV/ORA

C. Paperiello, NMSS

M. Virgilio, NMSS

W. Beecher, OPA

J. Murphy, CRGR

# **MEMO TO EDO**