

June 5, 2000

MEMORANDUM TO: William D. Travers
Executive Director for Operations

FROM: /RA by Martin J. Virgilio, Acting For/
William F. Kane, Director
Office of Nuclear Material Safety
and Safeguards

SUBJECT: PROPOSED RULE TO AMEND 10 CFR 72.214, "LIST OF
APPROVED SPENT FUEL STORAGE CASKS:
FUELSOLUTIONS™ ADDITION"

Attached for your signature is a proposed rule (Attachment 1) amending Nuclear Regulatory Commission (NRC) regulations to add the FuelSolutions™ cask system to the "List of approved spent fuel storage casks." This amendment would allow the holders of power reactor operating licenses to store spent fuel in these approved casks under a general license.

Background: NRC is proposing to approve the FuelSolutions™ cask system for storage of spent fuel under the conditions specified in the proposed Certificate of Compliance (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. The cask design is being proposed for listing under 10 CFR 72.214.

The CoC would terminate 20 years after the effective date of the final rule listing the cask in Section 72.214, unless the cask's CoC is renewed. The certificate contains conditions for use specific for this cask system, addressing issues such as operating procedures, training, and spent fuel specification.

The Commission has approved the simplification of the rulemaking process for CoC rules by agreeing that CoC rules do not need a rulemaking plan. This is another in a series of similar and repetitive rules using the same language (templates) to simplify the CoC rulemaking process.

CONTACTS: Richard Milstein, NMSS/IMNS
301- 415-8149

Mary Jane Ross-Lee, NMSS/SFPO
301-415-3781

Notices: A notice to the Commission that the Executive Director for Operations has signed the attached Federal Register notice is attached for inclusion in the "Weekly Report to the Commission" (Attachment 2). The "Approved for Publication" (Attachment 3) and the Environmental Assessment (Attachment 4) are also attached. The appropriate Congressional committees will be notified.

Resources: No additional resources will be needed to implement this rule.

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

Attachments:

1. FRN of Proposed Rulemaking
2. "Weekly Report to the Commission"
3. "Approved for Publication"
4. Draft Environmental Assessment

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