

October 20, 2000

MEMORANDUM TO:

Jesse L. Funches
Chief Financial Officer

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

Stuart Treby, Assistant General Counsel
for Rulemaking and Fuel Cycle
Office of the General Counsel

R. William Borchardt, Director
Office of Enforcement

David L. Meyer, Chief
Rules and Directives Branch
Division of Administrative Services
Office of Administration

FROM:

Donald A. Cool, Director
Division of Industrial and /RA/ JMP for
Medical Nuclear Safety, NMSS

SUBJECT:

DIRECT FINAL RULE TO AMEND 10 CFR 72.214, "LIST OF
APPROVED SPENT FUEL STORAGE CASKS"
(NAC-UMS, AMENDMENT NO. 1)

Your concurrence is requested on the attached direct final rule and associated proposed rule that revise 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 an amendment to the NAC International (NAC) Universal Storage System (NAC-UMS). The cask, when used in accordance with the conditions specified in the revised Certificate of Compliance (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 will allow holders of power reactor operating licenses, as general licensees under Part 72, to store (1) PWR design basis fuel assemblies in accordance with revised technical specifications and (2) Maine Yankee site-specific spent fuel in the NAC-UMS. Amendment No. 1 includes: (1) changes to authorized contents to allow Maine Yankee site-specific spent fuels within the PWR basket, including damaged or consolidated fuel in a Maine Yankee fuel can and burnups up to 50,000 MWd/MTU; (2) changes to allow longer times for PWR spent fuel cask loading

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operations based on reduced heat loads; (3) authorization to store, without canning, intact PWR assemblies with missing grid spacers (up to an unsupported length of 60 inches); (4) editorial clarifications to the technical specifications (TS); and (5) deletion of a certificate reference to the NS-4-FR trade name of the solid neutron shielding material in the VCC shield plug.

Since this rulemaking is an amendment to the NAC-UMS which is generally accepted by the staff as being noncontroversial and the changes in the amendment do not pose an increased risk to public health and safety, we are using the direct final rule approach to shorten the time before the rule becomes effective.

The following is a summary of this request:

1. Title: 10 CFR Part 72 "List of Approved Spent Fuel Storage Casks " (NAC-UMS, Amendment No. 1)
2. Task Leader: Keith K. McDaniel, NMSS/IMNS 415-5252
3. Working Group: Frank Jacobs, NMSS/SFPO 415-3961
Tim McGinty, NMSS/SFPO 415-8480
4. Steering Group: No
5. Enhanced Public Participation: No
6. Compatibility for Agreement States: No
7. Requested Action: Office Concurrence
8. Requested Completion Date: Seven calendar days after date of this memorandum. **To facilitate review by management, a copy of the attachment and enclosures is included as an Appendix in which the non-standard language is indicated by vertical lines on the margin.** To meet the due date, a meeting will be tentatively scheduled for the week of October 30, 2000. This meeting will be to discuss and resolve any issues and concerns that are delaying concurrence. Please plan to have 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.

9. Resources and Coordination: It is anticipated that 0.8 NRC FTEs will be needed to complete this action (0.6 NMSS, and 0.2 all other). These resources are within existing budget allocations. Copies of this concurrence package have been forwarded to ACRS, ACNW, CRGR, and IG for information. Time to review this package should be charged to RITs No. 221AHA and TAC No. L20643.

Attachment: Memo to EDO w/encl.

cc w/encl.: H. T. Bell, OIG
J. Larkins, ACRS & ACNW
H. Miller, Region I/ORA
L. Reyes, Region II/ORA
J. Dyer, Region III/ORA
E. Merschoff, Region IV/ORA
W. Kane, NMSS
M. Virgilio NMSS
W. Beecher, OPA
J. Murphy, CRGR
S. Collins, NRR
J. Gray, OGC

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DATE:	10/ 18/2000	10/ 20/2000	10/ 19/2000	10/20/2000

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