

MEMORANDUM TO: William D. Travers
Executive Director for Operations

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

SUBJECT: DIRECT FINAL RULE TO AMEND 10 CFR 72.214 LIST OF
APPROVED SPENT FUEL STORAGE CASKS (TN-32,
AMENDMENT 1)

Attached for your signature is a direct final rule, along with the companion proposed rule (Attachments 1 and 2), amending U.S. Nuclear Regulatory Commission regulations by revising the cask system listing for the Transnuclear, Inc. TN-32. This amendment will allow holders of power reactor operating licenses to store spent fuel in the cask under the revised conditions. The changes proposed for Amendment No. 1 to the TN-32 CoC include: (1) addition of B&W/FCF 17 x 17 Mark BW assembly to Technical Specification 2.1, "Fuel to be stored in the TN-32 Cask," and (2) revised TS 4.3.3, "Site Specific Parameters and Analysis," to allow analysis of verification of allowable seismic loads. These changes provide increased flexibility for a general licensee. The Commission directed the staff, in a Staff Requirements Memorandum dated September 3, 1998, to use a direct final rule approach for Certificate of Compliance rulemakings. This amendment is considered to be noncontroversial because it only amends a previously approved cask system. Therefore, we are using the direct final rule approach to simplify the process and to reduce the time before the rule becomes effective.

Notices: A notice to the Commission that the Executive Director for Operations has signed the Federal Register notices is included for the "Daily Staff Notes" (Attachment 3) and the "Weekly Report" (Attachment 4). The "Approved for Publication," the "Environmental Assessment," and the Small Business Regulatory Enforcement Fairness Act of 1996 (SBREFA) forms can be found in, respectively, Attachments 5 through 7 of this paper. The appropriate Congressional committees will be notified.

Resources: No additional resources will be needed to implement this rule, unless we receive significant adverse comments on the proposed rule.

CONTACTS: Roger W. Broseus, NMSS/IMNS
301-415-7608

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

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

Attachments:

1. FRN for Direct Final Rule
2. FRN for Proposed Rule
3. "Daily Staff Notes"
4. "Weekly Report"
5. "Approved for Publication"
6. "Environmental Assessment"
7. SBREFA Forms

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*See attached concurrences.

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