

January 11, 2001

MEMORANDUM TO:

Jesse L. Funches
Chief Financial Officer

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

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

R. William Borchardt, Director
Office of Enforcement

Michael T. Lesar, Acting Chief
Rules and Directives Branch
Division of Administrative Services
Office of Administration

FROM:

Donald A. Cool, Director
Division of Industrial and
Medical Nuclear Safety, NMSS

SUBJECT:

DIRECT FINAL RULE TO REVISE THE 10 CFR PART 72 LIST
OF APPROVED SPENT FUEL STORAGE CASKS (HI-STAR 100,
AMENDMENT NUMBER 2)

Your concurrence is requested on the attached direct final rule and associated proposed rule that will 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 indicate a revision to the Holtec International HI-STAR 100 cask system.

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

The cask, when used in accordance with the conditions specified in the revised 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 amendment will allow holders of power reactor operating licenses to store spent fuel in the cask under the revised conditions. Amendment No. 2 to the HI-STAR 100 CoC would modify the cask design Appendix B of the Technical Specifications, Item 1.4.6, "Specific Parameters and Analysis for the Storage Pad and Foundation," to simplify the language of this specification. The current 60 g limit for cask drop and tipover events in Item 1.4.6 would remain unchanged.

Since this rulemaking is about one amendment to the HI-STAR 100 cask system which is generally accepted by the staff as being "noncontroversial", 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: HI-STAR 100 Revision"
2. Task Leader: Stan Turel, NMSS/IMNS 415-6234
3. Working Group: Christopher Jackson, NMSS/SFPO 415-2947
Dorothy Gauch, OGC 415-1641
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 after the 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 denoted by vertical lines in the margin. To meet the due date, a meeting will be tentatively scheduled for the week of January 22, 2001. 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 #221AHA and TAC# L21213.

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
J. Gray, OGC
D. Matthews, NRR

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Distribution: IMNS Ticket No.XXXX
 RGordon/RF
 AHowe
 SECY-98-188
 SFPO Contact
 ADipalo
 Section Leader
 Riani, Mendiola, Gallagher
 File Name: (o:\turel\spentfuel\Holtec Hi-Star 100 Amend 2\office concurrence.wpd)
 *See Previous Concurrence
 ADAMS Package Accession # M00XXXXXX

OFFICE	RGB:IMNS	RGB:IMNS	D:SFPO:NMSS	D:IMNS:NMSS
NAME:	STurel*	PHolahan*	WBrach*	DCool
DATE:	12/28/00	12/28/00	12/29/00	1/ 10/01