

April 16, 2001

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

FROM: E. William Brach, Director **/RA/ original signed by SFrant for/s/**
Spent Fuel Project Office, NMSS

SUBJECT: RULEMAKING FOR THE STANDARDIZED NUHOMS[®] SYSTEM,
AMENDMENT 3, TO ADD THE 61BT CANISTER

I am forwarding the proposed Certificate of Compliance (CoC) No. 1004, Amendment No. 3 and the preliminary Safety Evaluation Report (SER) for the Standardized NUHOMS[®] -61BT Dry Shielded Canister (DSC), for inclusion in the direct final rulemaking package for this cask. The proposed CoC, Technical Specifications (appendices to the CoC) and preliminary SER have been placed in ADAMS (see reference below) and are available for your use in the rulemaking package. The Spent Fuel Project Office will designate these documents as Official Agency Records after the EDO approves publication of the direct final rulemaking.

The proposed changes to the CoC (including its appendices) are indicated by vertical lines on the margin of the CoC. The changes proposed for Amendment No. 3 will add the NUHOMS[®] - 61BT DSC to the Standardized NUHOMS[®] System. In doing so, current Technical Specifications (TS) 1.2.1, 1.2.3, and 1.2.4 will be modified and new TS 1.2.3a, 1.2.4a, and 1.2.17 will be added to accommodate the new DSC and fuel types that it will contain.

SFPO is disapproving the portion of the applicant's request that pertains to the storage of damaged fuel that is not confined in a separate failed fuel can. SFPO desires that this be highlighted in the Federal Register Notice.

In addition, the Spent Fuel Project Office (SFPO), on its own initiative, made minor editorial changes to the CoC and is removing CoC Condition Nos. 9, 10, and 11. Condition Nos. 9 and 11 have been superceded by a change to 10 CFR 72.48 (see 64 FR 53582; October 4, 1999) which permits certificate holders to make certain changes to a cask design without prior NRC approval. Condition No. 10 has been superceded by the new 10 CFR 72.248 (same October 4, 1999, rulemaking) which requires a certificate holder to periodically update the final safety analysis report (FSAR) associated with the cask design. This update must include any changes

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to the cask design made under the provisions of 10 CFR 72.48. The change to 10 CFR 72.48 became effective on April 5, 2001, and the addition of 10 CFR 72.248 was effective on February 1, 2000. Finally, existing Condition No. 12 would be redesignated as Condition No. 6 with no change to the text of the condition.

Docket No.: 72-1004

ADAMS Reference: Accession No. ML010720508

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