

Approved For Publication

The Commission delegated to the EDO (10 CFR 1.32(c)) the authority to develop and promulgate rules as defined in the APA (5 U.S.C. 551 (4)) subject to the limitations in NRC Management Directive 9.17, Organization and Functions, Office of the Executive Director for Operations, paragraphs 0213, 038, 039, and 0310.

The attached direct final rule entitled "List of Approved Spent Fuel Storage Casks: FuelSolutions™ Revision," amends 10 CFR Part 72 by revising the BNFL Fuel Solutions cask system listing within the "List of approved spent fuel storage casks." Amendment No. 2 to the FuelSolutions™ cask system CoC will modify the Technical Specifications (TS) to provide an alternative to returning the W74 canister to the spent fuel building, to clarify the description of the other non-fissile material permitted to be stored in the W74 canister, and to revise the temperatures to correspond to the liner thermocouples. Specific changes will be made to TS Tables 2.1-3 and 2.1-4; TS 3.3.2 and 3.3.3; and the bases for TS 3.3.2 and 3.3.3. No changes will be made to the conditions of the Certificate of Compliance.

This direct final rule does not constitute a significant question of policy, nor does it amend regulations contained in 10 CFR Parts 7, 8, or 9 Subpart C concerning matters of policy. I, therefore, find that this rule is within the scope of my rulemaking authority and am proceeding to issue it.

10/25/01

Date

/RA/

William F. Kane
Acting Executive Director for Operations.