

June 23, 2003

MEMORANDUM TO: William D. Travers
Executive Director for Operations

FROM: Charles L. Miller, Director
Division of Industrial and **/RA/**
Medical Nuclear Safety, NMSS

SUBJECT: DIRECT FINAL RULE TO AMEND 10 CFR 72.214, LIST OF
APPROVED SPENT FUEL STORAGE CASKS (NAC-MPC,
AMENDMENT NO. 3)

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 NAC International, Inc., Multipurpose Canister cask system. This amendment will incorporate changes in support of the Yankee Nuclear Power Station (Yankee Rowe) fuel loading campaign and make corrections to the Connecticut Yankee technical specifications. Specifically, the amendment (1) incorporates fuel enrichment tolerances; (2) incorporates fuel assemblies with up to 20 damaged fuel rods, recaged assemblies, the Yankee Rowe damaged fuel can, and assembly weights up to 432 kilograms (950 pounds); (3) revises the average surface dose rate limits for the concrete cask; (4) incorporates administrative changes in the American Society of Mechanical Engineers' Code Alternatives; (5) corrects the Connecticut Yankee tables for fuel assembly limits and intact fuel assembly characteristics; and (6) incorporates editorial and administrative changes in the Certificate of Compliance. 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 shorten the time before the rule becomes effective.

Notices: Notices that the Executive Director for Operations has signed the Federal Register notices are provided for inclusion (Attachments 3 and 4). The "Approved for Publication," the Environmental Assessment, and the Small Business Regulatory Enforcement Fairness Act forms can be found in, respectively, Attachments 5 through 7 of this paper. The appropriate Congressional committees will be notified.

CONTACTS: Jayne M. McCausland, NMSS/IMNS
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Resources: No additional resources will be needed to implement this rule, unless we receive significant adverse comments on the proposed rule.

Coordination: The Office of Administration concurs with this amendment. The Office of the General Counsel has no legal objection. The Office of the Chief Financial Officer has reviewed this amendment for resource implications and has no objections.

Attachments:

1. FRN for Direct Final Rule
2. FRN for Proposed Rule
3. "Notice of Final Rule Signed by the EDO"
4. "Weekly Report to the Commission"
5. "Approved for Publication"
6. Environmental Assessment
7. SBREFA Forms

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*See previous concurrences.

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