

MEMORANDUM TO: William D. Travers
Executive Director for Operations November 10, 2003

FROM: Scott W. Moore, Chief /RA/
Rulemaking and Guidance Branch
Division of Industrial and
Medical Nuclear Safety, NMSS

SUBJECT: DIRECT FINAL RULE TO AMEND 10 CFR 72.214 LIST OF
APPROVED SPENT FUEL STORAGE CASKS
(NUHOMS®-61BT), AMENDMENT 7

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., Standardized NUHOMS® Horizontal Modular Storage System (Standardized NUHOMS® System). Amendment No. 7 will incorporate changes in support of the Amergen Corporation plans to load damaged fuel and additional fuel types at its Oyster Creek Nuclear Station. Specifically, the amendment will add damaged Boiling Water Reactor spent fuel assemblies and additional fuel types to the authorized contents of the NUHOMS®-61BT Dry Shielded Canister under a general license. In addition, the amendment includes three minor changes to the Technical Specifications to correct inconsistencies and remove irrelevant references. 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: Notice that the Executive Director for Operations has signed the Federal Register notices is provided for inclusion in the "Notice of Final Rule Signed by EDO" and the "Weekly Report to the Commission" (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 McCausland, NMSS/IMNS
(301) 415-6219

Christopher Regan, NMSS/SFPO
(301) 415-1179

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.

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 attached concurrences.**

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