

July 20, 2004

MEMORANDUM TO: Luis A. Reyes
Executive Director for Operations

FROM: Scott W. Moore, Chief /RA/
Rulemaking and Guidance Branch
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 (NAC-MPC),
AMENDMENT NO. 4

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., NAC-MPC cask system. This amendment will modify the cask design to incorporate vacuum-drying enhancements under a general license. Specifically, the amendment will increase vacuum-drying time limits, delete canister removal from concrete cask requirements, revise surface-contamination removal-time limits, and revise allowable-contents fuel-assembly limits. 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 (EDO) has signed the Federal Register notices is provided for inclusion in the "Notice of Final Rule Signed by the 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 M. McCausland, NMSS/IMNS
(301) 415-6219

David W. Pstrak, NMSS/SFPO
(301) 415-8486

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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