

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: NAC-MPC Revision," amends 10 CFR Part 72 by revising the NAC International, Inc., NAC-MPC cask system listing within the "List of approved spent fuel storage casks." This amendment will modify the cask design to incorporate vacuum drying enhancements. 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 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.

July 27, 2004
Date

/RA/
Martin J. Virgilio,
Acting Executive Director for Operations.