

January 28, 2005

MEMORANDUM TO: Stuart A. Treby, Assistant General Counsel  
for Rulemaking and Fuel Cycle  
Office of the General Counsel

Michael T. Lesar, Chief  
Rules and Directives Branch  
Division of Administrative Services  
Office of Administration

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 (NUHOMS<sup>®</sup> -24PT4),  
AMENDMENT NO. 1

Your concurrence is requested on the attached direct final rule and associated proposed rule that will revise the list of approved spent fuel storage casks (10 CFR 72.214). The staff is amending its regulations containing the list of approved spent fuel storage cask designs to add an amendment to the Transnuclear, Inc., Standardized Advanced NUHOMS<sup>®</sup> System.

The cask, when used in accordance with the conditions specified in the revised Certificate of Compliance (CoC) and the U.S. Nuclear Regulatory Commission (NRC) regulations, will meet the requirements of 10 CFR Part 72; thus, adequate protection of public health and safety would be ensured. The cask amendment will allow holders of nuclear power reactor operating licenses to store spent fuel in the cask under the revised conditions. Amendment No. 1 to the Standardized Advanced NUHOMS<sup>®</sup> System CoC adds another Dry Shielded Canister, designated NUHOMS<sup>®</sup> -24PT4, to the authorized contents of the Standardized Advanced NUHOMS<sup>®</sup> System. This canister is designed to accommodate 24 intact Pressurized Water Reactor fuel assemblies with or without integral burnable poison rods or integral fuel burnable absorber rods, or up to 12 damaged fuel assemblies in lieu of an equal number of intact assemblies. It is designed for use with the existing Advanced NUHOMS<sup>®</sup> Horizontal Storage Module and transfer in the NUHOMS<sup>®</sup> OS197H transfer cask, with a maximum heat load of 24 kilowatts.

The staff also proposes that changes be made to the rule text to correct a typographical error that incorrectly states the expiration date of the CoC. The correct expiration date, as listed in CoC No. 1029 for the Standardized Advanced NUHOMS<sup>®</sup> System, is February 5, 2023.

CONTACT: Jayne M. McCausland, NMSS/IMNS  
(301) 415-6219

Since this rulemaking is an amendment to the Standardized Advanced NUHOMS® System, which was previously approved, it is generally accepted by the staff as being “noncontroversial.” The changes in the amendment do not negatively impact public health and safety, and therefore, we are using the direct final rule approach to shorten the time before the rule becomes effective.

The following is a summary of this request:

1. Title: 10 CFR Part 72 - “List of Approved Spent Fuel Storage Casks: NUHOMS®-24PT4.”
2. Task Leader: Jayne M. McCausland, NMSS/IMNS      415-6219
3. Working Group: David W. Pstrak, NMSS/SFPO      415-8486  
Neil Jensen, OGC      415-1637
4. Steering Group: No
5. Enhanced Public Participation: No
6. Compatibility for Agreement States: No
7. Requested Action: Office Concurrence
8. Requested Completion Date: Seven calendar days after the date of this memorandum. To meet the due date, a meeting will be tentatively scheduled for the week of February 7, 2005. This meeting will be to discuss and resolve any issues and concerns that are delaying concurrence. Please plan to have an official who can concur for your Office available for this meeting. If no issues are identified and all concurrences received, this meeting will be canceled.
9. Resources and Coordination: It is anticipated that 0.45 NRC FTEs will be needed to complete this action (0.25 NMSS, and 0.2 all other). These resources are within existing budget allocations. Copies of this concurrence package have been forwarded to ACRS, ACNW, CRGR, NRR, CFO, CIO, OE, and IG for information. Time to review this package should be charged to TAC# LA0068.

Attachment:  
Memo to EDO w/encl.

cc w/encl.: H. T. Bell, OIG	E. Brenner, OPA
J. Larkins, ACRS & ACNW	S. Bahadur, CRGR
S. Collins, Region I/ORA	J. Gray, OGC
W. Travers, Region II/ORA	J. Funches, CFO
J. Caldwell, Region III/ORA	D. Matthews, NRR
B. Mallet, Region IV/ORA	C. Haney, NRR
J. Strosnider, NMSS	B. Shelton, OCIO
C. Miller, NMSS	F. Congel, OE

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**Distribution:** IMNS Ticket No.,  
 RGB r/f D Pstrak, SFPO J. Monninger, SFPO L. R. Wharton, SFPO  
 J. Cuadrado, SFPO

ML050330230

\*See Previous Concurrence

<b>OFFICE:</b>	RGB:IMNS	SFPO:NMSS	RGB:IMNS	RGB:IMNS
<b>NAME:</b>	J McCausland*	D Pstrak*	M Delligatti*	S Moore
<b>DATE:</b>	01 / 14 /05	1/24/ 05	1/14/05	1/28/05