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April 27, 2005

Docket No. 72-1007  
Ref No. BFS/NRC 05-010  
LAR 1007-005  
WEP-09

U.S. Nuclear Regulatory Commission  
ATTN: Document Control Desk  
Washington, DC 20555-0001

Subject: Revised Request to Change Certificate Holder Name for Certificate of Compliance No. 72-1007

- References:
- 1) Letter No. BFS/NRC 04-006, Request to Change Certificate Holder Name for Certificate of Compliance No. 72-1007, November 2, 2004.
  - 2) Certificate of Compliance for Spent Fuel Storage Casks, Certificate No. 1007, Amendment 4, Package Identification No. USA/72-1007
  - 3) Letter No. BFS/NRC 05-009, Notice of Company Name Change, April 12, 2005.
  - 4) Quality Assurance Program Approval for Radioactive Materials Packages, Approval No. 0804, Revision 5, Docket No. 71-0804
  - 5) Final Safety Analysis Report for the VSC-24 Ventilated Storage Cask System, Revision 5, March 2003

Dear Sir or Madam,

In November 2004, BNFL Fuel Solutions Corporation submitted a letter (Reference 1) to the U.S. Nuclear Regulatory Commission (NRC) requesting that the Certificate Holder (CH) name for the VSC-24 Certificate of Compliance (CoC) (Reference 2) be changed from Pacific Sierra Nuclear Associates (PSNA) to BNFL Fuel Solutions Corporation (BFS). Subsequently, BFS notified NRC that the company name would be changed to BNG Fuel Solutions Corporation, effective April 13, 2005 (Reference 3). Accordingly, BFS now requests that the CH name on the VSC-24 CoC be changed from PSNA to BNG Fuel Solutions Corporation.

The specific request, basis for this request, and justification for the request are provided in the paragraphs that follow.

**Request:** It is requested that the CH for the Reference 2 CoC be changed from Pacific Sierra Nuclear Associates (PSNA) to BNG Fuel Solutions Corporation (BFS).

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**Basis of Request:** The current CH, PSNA, is a Washington-State general partnership that is owned forty-five percent (45%) by BFS and fifty-five percent (55%) by Sierra Nuclear Corporation (SNC). BFS and SNC are both wholly-owned by BNG America. BNG America intends to have SNC transfer all of its assets and liabilities to BFS, and then dissolve SNC. The SNC share of PSNA would be among the assets transferred to BFS, ostensibly making BFS the sole partner of PSNA. It is BFS's understanding, however, that if it were to become the sole partner of PSNA, then that partnership would terminate by operation of law. Thus, the requested change of the CH for the Reference 2 CoC is necessary to assure that the planned operational changes of these BNG America-owned companies can proceed.

**Justification for Request:** All quality-affecting activities required of PSNA for the Reference 2 CoC are being performed under the NRC-approved BFS quality assurance program (Reference 4). BFS, as the operational partner of PSNA responsible for quality-affecting activities associated with the VSC-24 system, is currently managing all QA activities for the VSC-24 system and the Reference 2 CoC. Furthermore, all records associated with the Reference 2 CoC, including all records required under 10 CFR Part 72, are being maintained by BFS. Thus, the requested change does not require any changes to the quality assurance program or to its implementation. All records for the VSC-24 system reside at and are maintained by BFS.

The requested change does not require any changes to the VSC-24 Storage System FSAR (Reference 5) that require prior NRC approval. Any changes to the Reference 5 FSAR will be made by BFS in accordance with the requirements of 10 CFR 72.48.

Should you or any member of your staff have any questions, please contact Steve Sisley, BFS Licensing/Regulatory Compliance Manager, at 408-558-3509 or the undersigned at 408-558-3508.

Sincerely,

Handwritten signature of Robert D. Quinn, followed by the text "for RDO".

Robert D. Quinn  
President, BNG Fuel Solutions Corporation  
and  
President, Sierra Nuclear Corporation

cc) Mary Jane Ross-Lee, SFPO NMSS  
Jose Cuadrado, SFPO NMSS