

July 6, 2005

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 AMEND 10 CFR 72.214 LIST OF
APPROVED SPENT FUEL STORAGE CASKS (NAC-UMS,
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-UMS cask system. This amendment will modify the present cask system design by: (1) replacing the specific term "zircaloy" with the more generic term "zirconium alloy"; (2) revising the definitions of "operable" and "site specific fuel"; (3) revising vacuum-drying pressure and time limits; (4) revising short-term temperature limits and completion times for the heat removal system; (5) clarifying the surface-dose-rate surveillance; (6) adding a dissolved boron-concentration option; (7) deleting a redundant boron concentration administrative control; (8) adding an alternate site-specific design basis earthquake analysis; and (9) incorporating editorial and administrative changes. 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: Attachment 3 ("EDO Daily Note") documents that the Executive Director for Operations (EDO) intends to sign the two Federal Register notices. Attachment 4 ("Notice of Final Rule Signed by the EDO") and Attachment 5 ("Weekly Report to the Commission") each document that the EDO has signed the two Federal Register notices. The "Approved for Publication," the Environmental Assessment, and the Congressional Review Act forms can be found in, respectively, Attachments 6 through 8 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. "EDO Daily Note"
4. "Notice of Final Rule Signed by the EDO"
5. "Weekly Report to the Commission"
6. "Approved for Publication"
7. Environmental Assessment
8. Congressional Review Act Forms

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:

9. FRN for Direct Final Rule
10. FRN for Proposed Rule
11. "EDO Daily Note"
12. "Notice of Final Rule Signed by the EDO"
13. "Weekly Report to the Commission"
14. "Approved for Publication"
15. Environmental Assessment
16. Congressional Review Act Forms

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*See previous concurrences.

OFFICE:	RGB:IMNS		SFPO		RGB:IMNS		RGB:IMNS		RGB:IMNS	
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