

August 18, 2005

MEMORANDUM TO: Luis A. Reyes  
Executive Director for Operations

FROM: Scott W. Moore, Chief  
Rulemaking and Guidance Branch  
Division of Industrial and **/RA/**  
Medical Nuclear Safety, NMSS

SUBJECT: DIRECT FINAL RULE TO AMEND 10 CFR 72.214 LIST OF  
APPROVED SPENT FUEL STORAGE CASKS (STANDARDIZED  
NUHOMS<sup>®</sup>-32PT, -24PHB, AND -24PTH REVISION,  
AMENDMENT 8)

On May 25, 2005 (70 FR 29931), a direct final rule (Attachment 1) and companion proposed rule (70 FR 30015) (Attachment 2) were published in the *Federal Register* to revise the cask system listing for the Transnuclear, Inc., Standardized NUHOMS<sup>®</sup> System, by adding Amendment No. 8 to the list of approved spent fuel storage casks in 10 CFR 72.214. After the rules were published, staff became aware of needed changes in the Technical Specifications (TS) associated with the Certificate of Compliance, and on July 15, 2005, the U.S. Nuclear Regulatory Commission withdrew the direct final rule (70 FR 40879) and the proposed rule (70 FR 40924). This direct final rule, attached for your signature, includes the original Amendment No. 8 changes, the revised TS 1.2.17c and 1.2.18, Table 1-1I, and additional changes, as discussed below. These additional changes were originally to be addressed as a subsequent amendment. However, the withdrawal of the May 28, 2005, package allowed the staff to combine this information into Amendment 8. This results in a more effective and efficient use of resources.

This amendment adds a new spent fuel storage and transfer system, designated the NUHOMS<sup>®</sup>-24PTH System, and modifies the NUHOMS<sup>®</sup>-32PT and -24PHB dry shielded canister (DSC) designs. Specifically, the NUHOMS<sup>®</sup>-24PTH System consists of new or modified components: (1) the -24PTH DSC; (2) a new -24PTH DSC basket design; (3) a modified horizontal storage module (HSM), designated the HSM-H; and (4) a modified transfer cask (TC), designated the OS 197FC TC. The NUHOMS<sup>®</sup>-24PTH System is designed to store fuel with maximum average burnup of up to 62 gigawatts-day/metric ton of uranium; maximum average initial enrichment of 5.0 weight percent; minimum cooling time of 3.0 years; and maximum heat load of 40.8 kilowatts per DSC. TS 1.2.18 and Table 1-1I were augmented to restrict the -24PTH DSC basket heat-loading patterns to those analyzed in the Safety Analysis Report, and TS 1.2.17c was revised to delete the use of air for blowdown of the -24PTH DSC

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before drying operations. The changes to the -32PT and -24PHB systems include: (1) revising the -32 DSC Fuel Specification and Fuel Qualification Tables to include low-enrichment and reconstituted fuel; (2) revising the -32PT DSC Fuel Specification Tables to show minimum boron loading concentration; (3) expanding the authorized contents for the -24PHB DSC; (4) revising the TC/DSC handling and lifting height specifications in TS 1.2.10 and 1.2.13; and (5) clarifying DSC surface-contamination actions in TS 1.2.12.

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 state 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.

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

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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”
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 \*See previous concurrences.

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