

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: FuelSolutions™ Cask System Revision 4," amends 10 CFR Part 72 by revising the BNG Fuel Solutions Corporation (FuelSolutions™) cask system listing within the "List of approved spent fuel storage casks." This amendment will allow the holders of power reactor operating licenses to store spent fuel in the cask under the revised conditions under a general license. Amendment No. 4 will change Technical Specification (TS) requirements related to periodic monitoring during storage operations. Specifically, the amendment will revise the TS to permit longer surveillance intervals for casks with heat loads lower than the design basis heat load and permit visual inspection of the cask vent screens or measurement of the cask liner temperature to satisfy the periodic monitoring requirements of 10 CFR 72.122(h)(4). TS 3.3.1 will be deleted to remove daily monitoring requirements. TS 3.3.2 will be revised for the W21 and W74 canisters to permit either visual inspection of vent screens or liner thermocouple temperature monitoring. Also, TS 5.3.8 will add a section to the Periodic Monitoring Program which establishes intervals for periodic monitoring that are less than the time required to reach the limiting short-term temperature limit. This program will establish administrative controls and procedures to assure that the licensee will be able to determine when corrective action is required. In addition, the amendment will update editorial changes associated with the company name change from BNFL Fuel Solutions Corporation to BNG Fuel Solutions Corporation and make other administrative changes.

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.

4/3/06
Date

/RA/
Luis A. Reyes,
Executive Director for Operations.