

April 6, 2006

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 (NUHOMS® HD,
ADDITION)

Enclosed, for your signature, is a direct final rule, along with the companion proposed rule (Enclosures 1 and 2), amending U.S. Nuclear Regulatory Commission (NRC) regulations, by adding the Transnuclear, Inc., NUHOMS® HD cask system listing to the list of approved spent fuel storage casks. With this direct final rule, NRC will approve the use of the NUHOMS® HD cask system under the general license in 10 CFR Part 72, Subpart K, by holders of power reactor operating licenses under 10 CFR Part 50. Simultaneously, the NRC will issue a final Safety Evaluation and Certificate of Compliance (CoC) that will be effective on the effective date of the final rule. The cask, when used in accordance with the conditions specified in the CoC and NRC regulations, will meet the requirements of 10 CFR Part 72; thus, adequate protection of public health and safety will be ensured.

Under the conditions specified in CoC 1030, the NUHOMS® HD cask system provides for the horizontal storage of high burnup spent pressurized water reactor fuel assemblies in a dry shielded canister that is placed in a horizontal storage module utilizing an OS187H transfer cask. The system is an improved version of the Standardized NUHOMS® System described in CoC 1004. The NUHOMS® HD System has been optimized for high thermal loads, limited space, and radiation shielding performance.

This addition is considered to be noncontroversial because it represents an improved version of the Standardized NUHOMS® System described in existing CoC 1004. Therefore, we are using the direct final rule approach to simplify the process and to shorten the time before the rule becomes effective.

Notices: Enclosure 3 (“EDO Daily Note”) documents that the Executive Director for Operations (EDO) intends to sign the two Federal Register notices. Enclosure 4 (“Notice of Final Rule Signed by the EDO”) and Enclosure 5 (“Weekly Report to the Commission”) 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, Enclosures 6 through 8 of this paper. The appropriate Congressional committees will be notified.

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(301) 415-3567

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.

Enclosures:

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

L. Reyes

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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.

Enclosures:

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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