

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 enclosed direct final rule entitled "List of Approved Spent Fuel Storage Casks: NAC-MPC System Revision 6" amends 10 CFR Part 72 by revising the NAC International, Inc., NAC-MPC System listing to include Amendment No. 6 to Certificate of Compliance (CoC) No. 1025. Amendment No. 6 will modify the CoC by including the following changes to the configuration of the NAC-MPC storage system as noted in Appendix B of the Technical Specifications (TS): (1) incorporation of a single closure lid with a welded closure ring for redundant closure into the Transportable Storage Canister (TSC) design; (2) modification of the TSC and basket design to accommodate up to 68 La Crosse Boiling Water Reactor spent fuel assemblies (36 undamaged Exxon fuel assemblies and up to 32 damaged fuel cans (in a preferential loading pattern)) that may contain undamaged Exxon fuel assemblies and damaged Exxon and Allis Chalmers fuel assemblies and/or fuel debris; (3) the addition of zirconium alloy shroud compaction debris to be stored with undamaged and damaged fuel assemblies; (4) minor design modifications to the Vertical Concrete Cask incorporating design features from the MAGNASTOR system for improved operability of the system while adhering to as low as is reasonably achievable principles; (5) an increase in the concrete pad compression strength from 4000 psi to 6000 psi; (6) added justification for the 6-ft soil depth as being conservative; and (7) other changes to incorporate minor editorial corrections in CoC No. 1025 and Appendices A and B of the TS. Also, the Definitions in TS 1.1 will be revised to include modifications and newly defined terms; the Limiting Conditions for Operation and associated Surveillance Requirements in TS 3.1 and 3.2 will be revised; and editorial changes will be made to TS 5.2 and 5.4.

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.

July 6, 2010

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R. W. Borchardt,  
Executive Director for Operations