

December 6, 2010

MEMORANDUM TO: Kevin O'Sullivan, Chief
Rulemaking Branch B
Division of Intergovernmental Liaison
and Rulemaking, FSME

FROM: Robert Johnson, Acting Chief /RA/
Licensing Branch
Division of Spent Fuel Storage
and Transportation, NMSS

SUBJECT: USER NEED FOR RULEMAKING FOR AMENDMENT NO. 2 TO
MAGNASTOR® CASK SYSTEM

The following information is being provided to request rulemaking support for the following Spent Fuel Storage and Transportation (SFST) 10 CFR Part 72 licensing activity:

1. Changes to 10 CFR 72.214 rule text (changes appear in bold):

Certificate Number: 1031

Initial Certificate Effective Date: 2/4/2009

Amendment No. 2 Effective Date: [insert 75 days from date of FR publication]

SAR Submitted by: NAC International (NAC).

SAR Title: MAGNASTOR® Final Safety Analysis Report

Docket Number: 72-1031

Certificate Expiration Date: 2/4/2029

Model Number: MAGNASTOR

2. NAC submitted an application to amend the MAGNASTOR® Cask System on March 22, 2010, as supplemented March 30, March 31, June 8, July 1, November 10, and November 19. The corresponding Agencywide Documents Access and Management System (ADAMS) accession numbers are: ML100830445, ML100910345, ML100950172 (data cover letter & affidavit), ML101610085 (cross reference matrix), ML102880325, ML1031904271 (response to the August 26 email ML102630404 and attachment ML102630406), and ML103230363, respectively. The amendment includes changes to allow addition of various boron-10 (¹⁰B) areal densities for use with PWR and BWR baskets; correction of the code reference in Table 2.1-2 of the Final Safety Analysis Report (FSAR), table entitled "ASME Code Alternatives for MAGNASTOR® components"; change of transportable storage canister (TSC) surface contamination limits for loose contamination; and other changes to incorporate minor editorial corrections.

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Technical Specifications and Design Features, Appendix A: Proposed Changes

Pages A3-14 & A3-15 – added new Section 3.3.2, TSC Surface Contamination

Page A4-1, Section 4.1.1 a), Criticality Control – revised neutron absorber areal density table throughout

Page A4-2, 1st line – changed "3.25 inches of lead gamma shielding" to "3.2 inches of lead gamma shielding"

Page A5-1, Section 5.1, Radioactive Effluent Control Program – revised Subsection 5.1.2 throughout and added Subsection 5.1.3

Page A5-3, Section 5.5, Radiation Protection Program – revised Subsection 5.5.4 adding new 2nd sentence

Page A5-4, Section 5.8, Preoperational Testing and Training Exercises – revised last paragraph by adding new last sentence.

Approved Contents, Appendix B: Proposed Changes

Page B2-2, Table B2-1 – revised I.A.1.b throughout to add new table and revise other table numbers; revised I.C to change "Table B2-4" to "Table B2-5"

Page B2-3, Table B2-1 – revised I.C to change table numbers in 2 places from "Tables B2-5 and B2-6" to "Tables B2-6 and B2-7"; revised I.F to change "Table B2-7" to "Table B2-8"

Page B2-5, Table B2-3 - revised format throughout; former footnote 2 deleted, so former footnote 3 becomes footnote 2

Page B2-6 – added new Table B2-4

Page B2-7 – revised table number and table numbers listed in Note

Page B2-8 – revised table numbers for 3 tables

Page B2-10, Table B2-9 – revised I.A.1 table numbers; revised I.A.1.b throughout to add new table and revise other table numbers

Page B2-11 – revised I.E to change table number from "Table B2-10" to "Table B2-11"

Page B2-12 – revised table number

Page B2-13, Table B2-11 – revised format throughout

Page B2-14 – added new Table B2-12

Page B2-17 – revised table number for 2 tables

Pages B2-18 thru B2-22 – changed "Table B2-13" to "Table B2-15"

Pages B2-23 thru B2-30 – changed "Table B2-14" to "Table B2-16"

Pages B2-31 thru B2-35 – changed "Table B2-15" to "Table B2-17"

Pages B2-36 thru B2-43 – changed "Table B2-16" to "Table B2-18"

Pages B2-44 thru B2-48 – changed "Table B2-17" to "Table B2-19"

Pages B2-49 thru B2-56 – changed "Table B2-18" to "Table B2-20"

Pages B2-57 thru B2-61 – changed "Table B2-19" to "Table B2-21"

Pages B2-62 thru B2-69 – changed "Table B2-20" to "Table B2-22"

Pages B2-70 thru B2-74 – changed "Table B2-21" to "Table B2-23"

Pages B2-75 thru B2-82 – changed "Table B2-22" to "Table B2-24".

In accordance with the proposed Appendix A and Appendix B Technical Specification changes, Appendix C, Technical Specification Bases for the MAGNASTOR® SYSTEM, Chapter 13 of the MAGNASTOR® FSAR (including the Table of Contents), is being revised as follows:

Page 13C-2, Section 2.0, Approved Contents, Subsection 2.1, Fuel Specifications and Loading Conditions – Background, 3rd paragraph – changed "Table 2-1 and 2-8" to "Tables 2-1 and 2-9"; Approved Contents, 1st sentence – changed "Tables 2-1 and 2-8" to "Tables 2-1 and 2-9"; 3rd sentence – changed "Tables 2-2 through 2-7 and Tables 2-9 through 2-12" to "Tables 2-2 through 2-8 and Tables 2-10 through 2-14" Pages 13C-24 thru 13C-26 - added new Section 3.3.2, TSC Surface Contamination.

3. The proposed CoC and TS, and preliminary SER have been placed in ADAMS (see references below) and are available for your use in the rulemaking package. The Division of Spent Storage and Transportation will designate these documents as Official Agency Records after the Executive Director for Operations has approved the package (ADAMS Package No. ML103300181).

Docket No. 72-1031

ADAMS References:

1. Proposed CoC No. 1031, Amendment 2 (ML103300193)
2. Proposed TS, Appendix A (ML103300194)
3. Proposed TS, Appendix B (ML103300195)
4. Preliminary SER (ML103300196)

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Distribution: SFST r/r NMSS r/f EBowdenBerry, OGC

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NAME	DTarantino for MGordon		DTang for JPlotter		MRahimi for KRoopon		JSmith for TSippel		JSmith		PLongmire
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