

August 25, 2000

MEMORANDUM TO: William D. Travers
Executive Director for Operations

FROM: William F. Kane, Director
Office of Nuclear Material Safety /MJV/ for /RA/
and Safeguards

SUBJECT: DIRECT FINAL RULE TO AMEND 10 CFR 72.214 LIST OF
APPROVED SPENT FUEL STORAGE CASKS (HI-STAR 100,
AMENDMENT NUMBER 1)

Attached for your signature is a direct final rule along with the companion proposed rule (Attachments 1 and 2) amending U.S. Nuclear Regulatory Commission regulations, by revising the cask system listing for the Holtec International HI-STAR 100. Amendment No. 1 revises the HI-STAR 100 cask system in seven areas and includes changes to the Certificate of Compliance (CoC) and Technical Specifications. The seven areas involve: 1) revision of the existing fuel specification tables; 2) addition of pressurized water reactor burnable poison rod assemblies and thimble plug devices; 3) addition of two new classes of fuel to the fuel specification tables; 4) addition of a new damaged fuel container; 5) addition of thorium rods in canisters; 6) addition of antimony-beryllium neutron sources [i.e., reactor startup sources], and 7) clarifications, editorial corrections, and other minor changes to cask design information and drawings. In addition, the amendment includes two minor changes to the HI-STAR 100 listing in § 72.214 of the regulations. First, the "Certification Expiration Date" is changed to "Certificate Expiration Date." Second, "Final" is added to the title of the safety analysis report. The Commission directed the staff, in a Staff Requirements Memorandum dated September 3, 1998, to use a direct final rule approach for CoC rulemakings. This amendment is considered to be noncontroversial because it only amends a previously approved cask system. Therefore, we are using the direct final rule approach to simplify the process and to shorten the time before the rule becomes effective.

Notices: Notices to the Commission that the Executive Director for Operations has signed the Federal Register notices are included for the Daily Staff Notes and Weekly Report to the Commission (Attachments 3 and 4, respectively). The Approved for Publication, the Environmental Assessment, and the Small Business Regulatory Enforcement Fairness Act forms can be found in, respectively, Attachments 5 through 7 of this paper. The appropriate Congressional committees will be notified.

CONTACTS: Gordon Gundersen, NMSS/IMNS
(301) 415-6195

Philip Brochman, NMSS/SFPO
(301) 415-8531

Resources: No additional resources will be needed to implement this rule, unless we receive significant adverse comments on the proposed rule.

Coordination: The Offices of Administration, Enforcement, and Nuclear Reactor Regulation concur with this amendment. The Office of the General Counsel has no legal objection. The Office of the Chief Financial Officer has reviewed the direct final rule for resource implications and has no objection. The Office of the Chief Information Officer has reviewed the direct final rule for information technology and information management implications and concurs in it.

Attachments:

1. FRN for Direct Final Rule
2. FRN for Proposed Rule
3. Daily Staff Notes
4. Weekly Report to the Commission
5. Approved for Publication
6. Environmental Assessment
7. SBREFA Forms

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