

September 25, 2000

MEMORANDUM TO: Jesse L. Funches
Chief Financial Officer

Brenda Jo. Shelton, Chief
Records Management Branch
Office of the Chief Information Officer

Stuart A. Treby, Assistant General Counsel
for Rulemaking and Fuel Cycle
Office of the General Counsel

R. William Borchardt, Director
Office of Enforcement

David L. Meyer, Chief
Rules and Directives Branch
Division of Administrative Services
Office of Administration

FROM: Donald A. Cool, Director /RA by John W. Hickey acting for/
Division of Industrial and
Medical Nuclear Safety, NMSS

SUBJECT: DIRECT FINAL RULE TO REVISE THE 10 CFR PART 72 LIST OF
APPROVED SPENT FUEL STORAGE CASKS (TN-32)

Your concurrence is requested on the attached direct final rule and associated proposed rule that will revise the List of Approved Spent Fuel Storage Casks (10 CFR 72.214). The staff is amending its regulations containing the list of approved spent fuel storage cask designs to indicate a revision to the Transnuclear, Inc. TN-32 cask system.

CONTACT: Roger W. Broseus, NMSS/IMNS
(301) 415-7608

The cask, when used in accordance with the conditions specified in the revised Certificate of Compliance (CoC) and NRC regulations, will meet the requirements of 10 CFR Part 72; thus, adequate protection of public health and safety would be ensured. The cask amendment will allow holders of power reactor operating licenses to store spent fuel in the cask under the revised conditions. The changes proposed for Amendment No. 1 to the TN-32 CoC include: (1) addition of B&W/FCF 17 x 17 Mark BW assembly to TS 2.1, "Fuel to be stored in the TN-32 Cask," and (2) revised TS 4.3.3, "Site Specific Parameters and Analysis," to allow analysis of verification of allowable seismic loads. These changes provide increased flexibility for a general licensee.

Since this rulemaking is about one amendment to the TN-32, which is generally accepted by the staff as being "noncontroversial," we are using the direct final rule approach to shorten the time before the rule becomes effective.

The following is a summary of this request:

1. Title: 10 CFR Part 72 - "List of Approved Spent Fuel Storage Casks: TN-32 Revision"
2. Task Leader: Roger W. Broseus, NMSS/IMNS 415-7608
3. Working Group: Philip G. Brochman, NMSS/SFPO 415-8592
Mary Jane Ross-Lee, NMSS/SFPO 415-3781
4. Steering Group: No
5. Enhanced Public Participation: No
6. Compatibility for Agreement States: No
7. Requested Action: Office Concurrence
8. Requested Completion Date: Seven calendar days after date of this memorandum. **To facilitate review by management, a copy is included as an Appendix in which non-standard language is red-lined.** To meet the due date, a meeting will be tentatively scheduled for the week of **October 16, 2000**. This meeting will be to discuss and resolve any issues and concerns that are delaying concurrence. Please plan to have an official who can concur for your Office available for this meeting. If no issues are identified and all concurrences received, this meeting will be canceled.

9. Resources and Coordination: It is anticipated that 0.8 NRC FTEs will be needed to complete this action (0.6 NMSS, and 0.2 all other). These resources are within existing budget allocations. Copies of this concurrence package have been forwarded to ACRS, ACNW, CRGR, and IG for information. Time to review this package should be charged to RITS # 221AHA and TAC# L20650.

Attachment: Memo to EDO w/encl.

cc w/encl.: H. T. Bell, OIG
J. Larkins, ACRS & ACNW
H. Miller, Region I/ORA
L. Reyes, Region II/ORA
J. Dyer, Region III/ORA
E. Merschoff, Region IV/ORA
W. Kane, NMSS
M. Virgilio NMSS
W. Beecher, OPA
J. Murphy, CRGR
J. Gray, OCG
S. Collins, NRR

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