

IN RESPONSE, PLEASE
REFER TO: M101014A

October 14, 2010

MEMORANDUM FOR: R. W. Borchardt
Executive Director for Operations

FROM: Annette L. Vietti-Cook, Secretary */RA/*

SUBJECT: STAFF REQUIREMENTS - AFFIRMATION SESSION, 9:25 A.M.,
THURSDAY, OCTOBER 14, 2010, COMMISSIONERS'
CONFERENCE ROOM, ONE WHITE FLINT NORTH,
ROCKVILLE, MARYLAND (OPEN TO PUBLIC ATTENDANCE)

I. SECY-10-0056 – Final Rule: 10 CFR Part 72 License and Certificate of Compliance Terms (RIN 3150-A109)

The Commission approved a final rule amending 10 CFR Part 72, with the attached changes. The final rule changes the term limits for Certificates of Compliances (CoC) and site specific independent spent fuel storage installations (ISFSI) and provides provisions that allow Part 72 general licensees to implement changes authorized by a later CoC amendment to a cask loaded under the initial CoC or an earlier CoC amendment.

Following incorporation of these changes, the Federal Register notice should be reviewed by the Rulemaking, Directives, and Editing Branch in the Office of Administration and forwarded to the Office of the Secretary for signature and publication.

(EDO)

(SECY Suspense:

11/19/10)

Attachment:
As stated

cc: Chairman Jaczko
Commissioner Svinicki
Commissioner Apostolakis
Commissioner Magwood
Commissioner Ostendorff
EDO
OGC
CFO
OCAA
OCA
OIG
OPA
Office Directors, Regions, ACRS, ASLBP (via E-Mail)
PDR

Changes and Comments to the Final Rule in SECY-10-0056

1. Recognizing that the staff will take appropriate actions to implement this rule, the staff should update the following documents:
 - The License Renewal Standard Review Plan to ensure that operational experience applicable to the various locations of cask usage was considered in bounding the aging effects.
 - The NRC Inspection Procedures to verify that the written evaluations completed by general licensees applying CoC amendments to previously loaded casks in accordance with 72.212(b)(5)(i) address the basis (complete final safety analysis report) for the terms, conditions, and specifications in the CoC that they plan to use.

2. The following minor editorial corrections should be made to the *Federal Register* notice prior to publication.
 - a. On page 8, line 5 from the top, delete the comma after ‘particularly.’
 - b. On page 9, paragraph (1), revise line 6 to read ‘ ... during storage ~~and,~~ accompanied by a continually’ Revise line 8 to read ‘ ... mechanism. Assessment of these factors indicates ~~se~~ that cladding creep ~~will would~~ not be an issue during a 40 year term.’
 - c. On page 13, paragraph H., revise line 4 to read ‘ ... corrosion, ~~and~~ radiation, ~~and~~ creep, are’
 - d. On page 17, 2nd full paragraph, revise line 7 to read ‘ ... not its age, that’ Revise line 13 to read ‘ ... the NRC-supported’
 - e. On page 18, last paragraph, revise line 1 to read ‘ ... current rule, which’
 - f. On page 22, last paragraph, revise line 1 to read ‘ ... NUREG-1927 entitled, “Standard’ Revise line 3 to read ‘ ... in reviewing ~~the~~’
 - g. On page 51, 2nd full paragraph, revise line 6 to read ‘ ... rule, provides the’