

October 17, 2001

MEMORANDUM TO: William D. Travers
Executive Director for Operations

FROM: Patricia K. Holahan, Chief
Rulemaking and Guidance Branch
Division of Industrial and /RA/
Medical Nuclear Safety, NMSS

SUBJECT: DIRECT FINAL RULE TO AMEND 10 CFR 72.214 LIST OF
APPROVED SPENT FUEL STORAGE CASKS FOR THE
FUELSOLUTIONS™ CASK SYSTEM AMENDMENT NO. 2

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 BNFL Fuel Solutions (FuelSolutions™) cask system. Amendment No. 2 to the FuelSolutions™ cask system CoC would modify the Technical Specifications (TS) to provide an alternative to returning the W74 canister to the spent fuel building, to clarify the description of the other non-fissile material permitted to be stored in the W74 canister, and to revise the temperatures to correspond to the liner thermocouples. Specific changes would be made to TS Tables 2.1-3 and 2.1-4; TS 3.3.2 and 3.3.3; and the bases for TS 3.3.2 and 3.3.3. No changes would be made to the conditions of the Certificate of Compliance. 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: A notice to the Commission that the Executive Director for Operations (EDO) has signed the Federal Register notices is included for the Notice of the Final Rule Signed by the EDO and Weekly Report (Attachments 3 and 4). The Approved for Publication, the Environmental Assessment, and the SBREFA forms can be found in, respectively, Attachments 5 through 7 of this paper. The appropriate Congressional committees will be notified.

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

CONTACTS: Merri Horn, NMSS/IMNS
(301) 415-8126

Mary Jane Ross-Lee, NMSS/SFPO
(301) 415-3781

Coordination: The Office of Administration concurs with this amendment. The Office of the General Counsel has no legal objection.

Attachments:

1. FRN for Direct Final Rule
2. FRN for Proposed Rule
3. Notice of Final Rule Signed by the EDO
4. Weekly Report to the Commission
5. Approved for Publication
6. Environmental Assessment
7. SBREFA Forms

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