

June 15, 2005

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

Michael T. Lesar, Chief  
Rules and Directives Branch  
Division of Administrative Services  
Office of Administration

FROM: Scott W. Moore, Chief **/RA/**  
Rulemaking and Guidance Branch  
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 (NAC-UMS),  
AMENDMENT NO. 4

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 add an amendment to the NAC International, Inc., NAC-UMS Universal Storage System.

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. Amendment No. 4 to the NAC-UMS Universal Storage System would modify the cask design by: (1) replacing the specific term "zircaloy" with the more generic term "zirconium alloy"; (2) revising the definitions of Operable and Site Specific Fuel; (3) revising vacuum drying pressure and time limits; (4) revising short-term temperature limits and completion times for the heat removal system; (5) clarifying the surface dose rate surveillance; (6) adding a dissolved boron concentration option; (7) deleting a redundant boron concentration administrative control; (8) adding an alternate site-specific design basis earthquake analysis; and (9) incorporating editorial changes.

Since this rulemaking is an amendment to the NAC-UMS Universal Storage System, which was previously approved, it is generally accepted by the staff as being "noncontroversial." The changes in the amendment do not negatively impact public health and safety, and therefore, we are using the direct final rule approach to shorten the time before the rule becomes effective.

CONTACT: Jayne M. McCausland, NMSS/IMNS  
(301) 415-6219

The following is a summary of this request:

1. Title: 10 CFR Part 72 - "List of Approved Spent Fuel Storage Casks: NAC-UMS Revision 4"
2. Task Leader: Jayne M. McCausland, NMSS/IMNS      415-6219
3. Working Group: David W. Pstrak, NMSS/SFPO      415-8486  
Neil Jensen, OGC      415-1637
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 the date of this memorandum. To meet the due date, a meeting will be tentatively scheduled for the week of **XXXX XX**, 2005. 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 0.45 NRC FTEs will be needed to complete this action (0.25 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, NRR, CFO, CIO, OE, and IG for information. Time to review this package should be charged to TAC # LA0115.

Attachment: Memo to EDO w/encl.

cc w/encl.: H. T. Bell, OIG	E. Brenner, OPA
J. Larkins, ACRS & ACNW	S. Bahadur, CRGR
S. Collins, Region I/ORA	J. Gray, OGC
W. Travers, Region II/ORA	J. Funches, CFO
J. Caldwell, Region III/ORA	D. Matthews, NRR
B. Mallet, Region IV/ORA	C. Haney, NRR
J. Strosnider, NMSS	B. Shelton, IRSD/OIS
C. Miller, NMSS	M. Johnson, OE

The following is a summary of this request:

1. Title: 10 CFR Part 72 - "List of Approved Spent Fuel Storage Casks: NAC-UMS Revision 4"
2. Task Leader: Jayne M. McCausland, NMSS/IMNS 415-6219
3. Working Group: David W. Pstrak, NMSS/SFPO 415-8486  
Neil Jensen, OGC 415-1637
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 the date of this memorandum. To meet the due date, a meeting will be tentatively scheduled for the week of **XXXX XX**, 2005. 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 0.45 NRC FTEs will be needed to complete this action (0.25 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, NRR, CFO, CIO, OE, and IG for information. Time to review this package should be charged to TAC # LA0115.

Attachment: Memo to EDO w/encl.

cc w/encl.: H. T. Bell, OIG

J. Larkins, ACRS & ACNW  
S. Collins, Region I/ORA  
W. Travers, Region II/ORA  
J. Caldwell, Region III/ORA  
B. Mallet, Region IV/ORA  
J. Strosnider, NMSS  
C. Miller, NMSS

E. Brenner, OPA  
S. Bahadur, CRGR  
J. Gray, OGC  
J. Funches, CFO  
D. Matthews, NRR  
C. Haney, NRR  
B. Shelton, IRSD/OIS  
M. Johnson, OE

**Distribution:** IMNS Ticket No.

R Gordon R/F

D Pstrak, SFPO

L. R Wharton, SFPO

**DOCUMENT NAME:** E:\Filenet\ML051650103.wpd \*See previous concurrence

OFFICE	RGB:IMNS	SFPO:NMSS	RGB:IMNS	RGB:IMNS
NAME:	J McCausland*	D Pstrak*	M Delligatti*	S Moore
DATE:	06 / 06 /05	06/3 / 05	06/ 9 /05	06 / 15 / 05

OFFICIAL RECORD COPY