

August 5, 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 (STANDARDIZED
NUHOMS®-32PT, -24PHB, AND -24PTH), AMENDMENT NO. 8

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 Transnuclear, Inc., Standardized NUHOMS® 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. This amendment adds a new spent fuel storage and transfer system, designated the NUHOMS®-24PTH System, and modifies the NUHOMS®-32PT and -24PHB dry shielded canister (DSC) designs. The NUHOMS®-24PTH System consists of new or modified components: (1) the -24PTH DSC; (2) a new -24PTH DSC basket design; (3) a modified horizontal storage module (HSM), designated the HSM-H; and (4) a modified transfer cask (TC), designated the OS 197FC TC. The NUHOMS®-24PTH System is designed to store fuel with maximum average burnup of up to 62 gigawatts-day/metric ton of uranium; maximum average initial enrichment of 5.0 weight percent; minimum cooling time of 3.0 years; and maximum heat load of 40.8 kilowatts per DSC. Technical Specification (TS) 1.2.18 and Table 1-1I were augmented to restrict the -24PTH DSC basket heat loading patterns to those analyzed in the Safety Analysis Report. TS 1.2.17c was revised to delete the use of air for

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blowdown of the -24PTH DSC prior to drying operations. The changes to the -32PT and -24PHB systems include: (1) revising the -32PT DSC Fuel Specification and Fuel Qualification Tables to include low enrichment and reconstituted fuel; (2) revising the -32PT DSC Fuel Specification Tables to show minimum boron loading concentration; (3) expanding the authorized contents for the -24PHB DSC; (4) revising the TC/DSC handling and lifting height specifications in TS 1.2.10 and 1.2.13; and (5) clarifying DSC surface contamination actions in TS 1.2.12.

Since this rulemaking is an amendment to the Standardized NUHOMS® 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.

The following is a summary of this request:

1. Title: 10 CFR Part 72 - “List of Approved Spent Fuel Storage Casks: Standardized NUHOMS®-32PT, -24PHB, and -24PTH Revision 8”
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 August 8, 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# LA0070.

Attachment: Memo to EDO w/encl.

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

J. Larkins, ACRS & ACNW

S. Collins, Region I/ORR

W. Travers, Region II/ORR

J. Caldwell, Region III/ORR

B. Mallet, Region IV/ORR

J. Strosnider, NMSS

C. Miller, NMSS

E. Brenner, OPA

S. Bahadur, CRGR

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