

February 28, 2006

MEMORANDUM TO: Luis A. Reyes
Executive Director for Operations

FROM: Scott W. Moore, 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 (VSC-24,
AMENDMENT 6)

Enclosed, for your signature, is a direct final rule, along with the companion proposed rule (Enclosures 1 and 2), amending U.S. Nuclear Regulatory Commission regulations, by revising the cask system listing for the BNG Fuel Solutions Corporation VSC-24 cask system. This amendment will allow holders of power-reactor operating licenses to store spent fuel in the cask under the revised conditions. Amendment No. 6 to the VSC-24 Certificate of Compliance (CoC) would modify the cask design to revise the Technical Specification (TS) requirements related to periodic monitoring during storage operation. Specifically, the amendment would eliminate TS 1.3.4 which requires daily temperature measurement of the cask. The daily temperature measurement is not required because the daily visual inspection of the cask inlet and outlet vent screens, required by TS 1.3.1, provides the capability to determine when corrective action needs to be taken to maintain safe storage conditions in accordance with the requirements in 10 CFR 72.122(h)(4). This is because the visual inspection would determine if the cask inlets and outlets were blocked (the focus of the thermal analysis submitted by the CoC holder). The amendment will also revise TS 1.2.3 to correspond with TS 1.3.1 by revising the method of thermal performance evaluation to allow for daily temperature surveillance once the cask has reached thermal equilibrium. In addition, the amendment updates editorial changes associated with the company name change from BNFL Fuel Solutions Corporation to BNG Fuel Solutions Corporation.

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: Enclosure 3 ("EDO Daily Note") documents that the Executive Director for Operations (EDO) intends to sign the two Federal Register notices. Enclosure 4 ("Notice of Final Rule Signed by the EDO") and Enclosure 5 ("Weekly Report to the Commission") each documents that the EDO has signed the two Federal Register notices. The "Approved for Publication," the Environmental Assessment, and the Congressional Review Act forms can be found in, respectively, Enclosures 6 through 8 of this paper. The appropriate Congressional committees will be notified.

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

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

Enclosures:

1. FRN for Direct Final Rule
2. FRN for Proposed Rule
3. "EDO Daily Note"
4. "Notice of Final Rule Signed by the EDO"
5. "Weekly Report to the Commission"
6. "Approved for Publication"
7. Environmental Assessment
8. Congressional Review Act Forms

L. Reyes

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

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

Enclosures:

9. FRN for Direct Final Rule
10. FRN for Proposed Rule
11. "EDO Daily Note"
12. "Notice of Final Rule Signed by the EDO"
13. "Weekly Report to the Commission"
14. "Approved for Publication"
15. Environmental Assessment
16. Congressional Review Act Forms

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