

## NOTICE OF FINAL RULE SIGNED BY EDO

### OFFICE OF NUCLEAR MATERIAL SAFETY AND SAFEGUARDS

On \_\_\_\_\_, 2006, the Executive Director for Operations approved a direct final rule that amends 10 CFR 72.214, "List of approved spent fuel storage casks" revising the BNG Fuel Solutions Corporation (FuelSolutions™) cask system listing within the "List of approved spent fuel storage casks" to include Amendment No. 4 to Certificate of Compliance Number 1026. Amendment No. 4 revises Technical Specification (TS) requirements related to periodic monitoring during storage operations. Specifically, the amendment revises the TS to permit longer surveillance intervals for casks with heat loads lower than the design basis heat load and permit visual inspection of the cask vent screens or measurement of the cask liner temperature to satisfy the periodic monitoring requirements of 10 CFR 72.122(h)(4). TS 3.3.1 is deleted to remove daily monitoring requirements. TS 3.3.2 is revised for the W21 and W74 canisters to permit either visual inspection of vent screens or liner thermocouple temperature monitoring. Also, TS 5.3.8 adds a section for the Periodic Monitoring Program which establishes intervals for periodic monitoring that are less than the time required to reach the limiting short-term temperature limit. This program establishes administrative controls and procedures to assure that the licensee will be able to determine when corrective action is required. In addition, the amendment updates editorial changes associated with the company name change from BNFL Fuel Solutions Corporation to BNG Fuel Solutions Corporation and makes other administrative changes.

This notice informs the Commission that, in accordance with the rulemaking authority delegated to the EDO, the EDO has signed this direct final rule and proposes to forward it on \_\_\_\_\_, 2006, to the Office of the Federal Register for publication, unless otherwise directed by the Commission.

This final rule does not constitute a significant question of policy, nor does it amend regulations contained in 10 CFR Parts 7, 8, or 9, Subpart C, concerning matters of policy.

The final rule can be found in ADAMS at ML **insert accession number**.