

July 13, 2006

Mr. Steven E. Sisley
Licensing/Regulatory Compliance Manager
BNG Fuel Solutions
2105 S. Bascom Avenue, Suite 160
Campbell, CA 95008

SUBJECT: AMENDMENT NO. 4 TO CERTIFICATE OF COMPLIANCE NO. 1026 FOR THE
FUELSOLUTIONS™ STORAGE SYSTEM

Dear Mr. Sisley:

As requested by your application dated June 30, 2005, as supplemented, enclosed is Certificate of Compliance (CoC) No. 1026, Amendment No. 4 for the FuelSolutions™ Storage System. Changes made to the certificate are indicated by vertical lines in the right margin. As stated in the Federal Register (71 FR 35147), the effective date of this certificate is July 3, 2006. The staff's Safety Evaluation Report is also enclosed.

This certificate constitutes the approval and conditions for use of the FuelSolutions™ Storage System for storage of spent nuclear fuel under the general licensing provisions of 10 CFR 72.210. A general license has been granted to all holders of licenses for nuclear power reactors issued under 10 CFR Part 50.

If you have any questions regarding this certificate, please contact me or Jill Caverly of my staff at (301) 415-8500.

Sincerely,

/RA/

Christopher M. Regan, Acting Chief
Licensing Section
Spent Fuel Project Office
Office of Nuclear Material Safety
and Safeguards

Docket No. 72-1026
TAC No. L23995

Enclosures: 1. Certificate of Compliance No. 1026,
Amendment No. 4
2. Safety Evaluation Report

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Distribution: w/o encls* (closes TAC L23995)

MMiller, R1 KLandis, R2 BDesai, R2 JCameron, R3 SATwater, R4
RKellar, R4 JCuadrado

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SAFETY EVALUATION REPORT

DOCKET NO. 72-1026 FuelSolutions™ Storage System Certificate of Compliance No. 1026 Amendment No. 4

SUMMARY

By letter dated June 30, 2005, BNG Fuel Solutions Corporation (formerly BNFL Fuel Solutions Corporation) submitted an amendment request to the U.S. Nuclear Regulatory Commission (NRC) in accordance with Title 10 Code of Federal Regulation (CFR) Part 72 requesting changes to the Technical Specifications (TS) requirements related to periodic monitoring during storage operation. BNG requested to allow longer surveillance intervals for casks with total heat loads lower than the design-basis heat load and permit either visual inspection of the cask vent screens or measurement of the cask liner temperature to satisfy the periodic monitoring requirement of 10 CFR 72.122(h)(4). In addition, BNG requested that editorial changes to the FuelSolutions™ Final Safety Analysis Report (FSAR) associated with the company name change.

The staff has reviewed the application, as supplemented. Based on the statements and representation in the application, as supplemented, the staff concludes that the FuelSolutions™ Spent Fuel Storage System meets the requirements of 10 CFR Part 72.

1.0 DESCRIPTION

The FuelSolutions™ system is a canister-based system that provides for storage and transport of a broad range of spent nuclear fuel assembly classes. The applicant's request to amend the Certificate of Compliance proposes to revise the technical specification requirements related to periodic monitoring during storage operation. Specifically, the changes will permit longer surveillance intervals for casks with total heat loads lower than the design-basis heat load and permit either visual inspection of the cask vent screens or measurements of the cask liner temperature to satisfy the periodic monitoring requirements of 10 CFR 72.122(h)(4).

2.0 THERMAL EVALUATION

The applicant requested approval for longer surveillance intervals for casks with total heat loads lower than the design basis heat load and permit either 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). The objective of the thermal review is to ensure that the cask components and fuel material temperatures of the system will remain within the allowable values for blocked vent accident conditions.

The applicant used the robust SINDA/FLUENT model developed for the original application in its analysis of the temperatures of the cask components with blocked vents for varying heat loads. The staff reviewed the application package and the TS and found that the model, analyses and TS were acceptable based on the details of the model and the conservatism incorporated into the analyses and proposed TS. The staff has reasonable assurance that the temperatures of the cask components important to the safety will remain within their operating temperature ranges for blocked vent accident conditions.

3.0 CONDITIONS FOR CASK USE - OPERATING CONTROLS AND LIMITS OR TECHNICAL SPECIFICATION

The changes to the certificate and its technical specification proposed by this amendment to the FuelSolutions™ Storage System are as follows:

1. TS TOC, Revised section headings and page numbers.
2. TS 3.3.1, Deleted.
3. TS 3.3.2, Revised section heading.
4. TS Table 4.1-1, Revised company name.
5. TS Table 4.1-2, Revise company name.
6. TS 5.3.8, Added Section.
7. TS Bases, Table of Contents, Revised section heading and page numbers.
8. TS B3.3.2, Revised section heading.

The changes to the certificate and its technical specification proposed by this amendment to the FuelSolutions™ Storage System W21 canister system are as follows:

1. TS Table of Contents, Revised section headings and page numbers.
2. TS 3.3.1, Deleted.
3. TS 3.3.2, Changed title and revised LCO 3.3.2 to permit visual inspection of vent screens or liner thermocouple temperature monitoring; revised ACTIONS for periodic monitoring options; revised SURVEILLANCE REQUIREMENTS to refer to storage cask periodic monitoring program.
4. TS Table 4.1-1, Revised company name.
5. TS 5.3 .8, Added section.
6. TS Bases Table of Contents, Revised section heading and page numbers.
7. TS B3.3.1, Deleted.
8. TS B3.3.2, Revised TS 3.3.2 bases to address monitoring changes.

The changes to the certificate and its technical specification proposed by this amendment to the FuelSolutions™ Storage System W74 canister system are as follows:

1. TS Cover Sheet, Added note for clarity.
2. TS Table of Contents, Revised section headings and page numbers.
3. TS 3.3-1, Deleted section.
4. TS 3.3.2, Changed TS title; revised LCO 3.3.2 to permit either visual inspection of vents screens or liner thermocouple temperature monitoring; revised ACTIONS for periodic monitoring options; revised SURVEILLANCE REQUIREMENTS to refer to storage cask periodic monitoring program.
5. TS Table 4.1-1, Revised company name.
6. TS 5.3.8, Added section.
7. TS Basis Table of Contents, Revised section headings and page numbers.
8. TS B3.3.1, Deleted Section.
9. TS B3.3.2, Revised TS3.3.2 bases to address monitoring changes.

The staff has reviewed these changes to the TS and found them to be acceptable.

4.0 ENVIRONMENTAL REVIEW

The staff has considered the potential for environmental impacts associated of the spent fuel storage in accordance with the amendment request and determined that the amendment will not result in any significant environmental impact. The staff finds that the license amendment does not involve any changes in the scope or type operations presently authorized by the license. The staff determined that the change in procedural in nature.

Accordingly, pursuant to 10 CFR 51.22(c)(11), neither an environmental assessment nor an environmental impact statement are warranted for this actions.

CONCLUSION

The Certificate of Compliance is revised to include the new amendment number and the Technical Specifications have been updated to include the new monitoring requirements.

Issued with Certificate of Compliance No. 1026, Amendment No. 4
on July 13, 2006