



**UNITED STATES
NUCLEAR REGULATORY COMMISSION**
WASHINGTON, D.C. 20555-0001

April 29, 2020

MEMORANDUM TO: Chairman Svinicki
Commissioner Baran
Commissioner Caputo
Commissioner Wright

FROM: Margaret M. Doane
Executive Director for Operations

SUBJECT: NOTICE OF DIRECT FINAL RULE AND COMPANION PROPOSED
RULE SIGNED BY THE EXECUTIVE DIRECTOR FOR OPERATIONS
(RIN 3150-AK47; NRC-2020-0050)

On April 29, 2020, I approved a direct final rule, along with a companion proposed rule, that amends the U.S. Nuclear Regulatory Commission's spent fuel storage regulations by revising the Holtec International HI-STORM Flood/Wind Multipurpose Canister Storage System listing within Section 72.214 of Title 10 of the *Code of Federal Regulations* (10 CFR), "List of approved spent fuel storage casks," to add Amendment No. 5 to Certificate of Compliance No. 1032. Amendment No. 5 revises the certificate of compliance to: 1) add new heat load patterns and revise the minimum required cooling time for multipurpose canisters MPC-89 and MPC-37; 2) add new fuel types to the approved contents; 3) allow an exception to a code to permit use of certain duplex stainless steels; 4) use an analysis model to revise the calculation for evaluating effective fuel conductivities; 5) add the use of the damaged fuel isolator; 6) add two versions of the standard variable weight transfer cask; 7) add the option of using cyclic vacuum drying; and 8) make changes to the final safety analysis report to add new types of fuel assemblies, add a definition to it and to the certificate of compliance, and add the required shielding evaluation to Section 5.4.8. In addition, Amendment No. 5 makes several clarifications and minor changes.

This notice informs the Commission that, in accordance with the rulemaking authority delegated to the Executive Director for Operations, I have signed this direct final rule and companion proposed rule and propose to forward them on May 7, 2020, to the Office of the Federal Register for publication, unless otherwise directed by the Commission.

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This direct final rule and companion proposed rule do not constitute a significant question of policy, nor do they amend regulations contained in 10 CFR Part 7, "Advisory Committees," or Subpart C, "Government in the Sunshine Act Regulations," of 10 CFR Part 9, "Public Records," concerning matters of policy. I therefore find that this direct final rule and companion proposed rule are within the scope of my rulemaking authority, and I intend to transmit them to the Office of the Federal Register consistent with the discussion above.

The direct final rule and companion proposed rule are available in the U.S. Nuclear Regulatory Commission's Agencywide Documents Access and Management System under Package Accession No. ML20063M502.

cc: SECY
 OGC
 OCA
 OPA
 CFO