

September 26, 2000

John G. Manfre, Health Physics Manager
Safety Office
Department of the Army
Headquarters, U.S. Army Materiel Command
5001 Eisenhower Avenue
Alexandria, VA 22333-0001

SUBJECT: EXEMPTION FROM CERTAIN REQUIREMENTS OF 10 CFR PART 71
PURSUANT TO 10 CFR 71.8

Dear Mr. Manfre:

Your letter dated September 12, 2000, to the Director of the Office of Nuclear Material Safety and Safeguards has been forwarded to the Spent Fuel Project Office for response. Your request will involve an exemption from certain requirements of 10 CFR Part 71 pursuant to 10 CFR 71.8. We have preformed a preliminary review of your request under the provisions of 10 CFR 71.8. However, your request does not provide a sufficient safety basis for us to make a determination. Therefore, we recommend that you provide additional information to support the exemption request. The information we believe is needed is identified in NUREG 1556, Volume 5, Appendix Q and in 10 CFR 51.30. This NUREG may also be helpful in preparing your response.

Please also note that approval of the proposed action requires the U.S. Nuclear Regulatory Commission (NRC) to prepare an Environmental Assessment (EA) [10 CFR 51.30]. The categorical exclusion from the need to prepare EAs that normally applies to package approvals does not apply when the approval is issued under an exemption. We need certain environmental information to prepare the EA. Accordingly, provide an Environmental Report (ER) that addresses the topics identified in 10 CFR 51.30 with respect to the proposed actions. You may find 10 CFR 51.60 helpful in developing your ER. To the extent this information has been provided in documents already submitted to NRC, you may provide the appropriate references in the ER.

Lastly, you must operate your transportation program in compliance with NRC regulations, until an exemption, if granted, is issued authorizing the proposed activity.

If you have any questions regarding this matter, please feel free to contact me at (301) 415-8584.

Sincerely,
/S/ /RA/
Steven Baggett, Senior Project Manager
Spent Fuel Project Office
Office of Nuclear Material Safety
and Safeguards

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DATE	09/25/00		09/25/00		09/26/00

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