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PROPOSED RULES 71  
(67FR 21390)

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OFFICE OF SECRETARY  
RULEMAKINGS AND  
ADJUDICATIONS STAFF

FILE NO: 58114.000003

Secretary, U. S. Nuclear Regulatory Commission  
Washington, D.C. 20555-0001  
Attention: Rulemaking and Adjudications Staff  
By Overnight Courier and internet (<http://ruleforum.llnl.gov>)

Proposed Rulemakings Of NRC And DOT  
Concerning IAEA Publication TS-R-1  
And Compatibility With IAEA Safety Standards:  
Amendments To

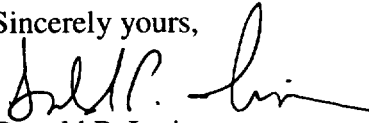
NRC Regulations In 10 CFR Part 71 (NRC Docket RIN-3150-AG71)  
and

DOT Regulations In 49 CFR Part 171 et al. (DOT Docket RSPA-99-6823 (HM-230))

Dear Ladies and Gentlemen:

Enclosed you will find two copies of page 21 of the comments of J. L. Shepherd & Associates in the above-captioned rulemakings that was inadvertently left out of your hard copies of the document dated July 26, 2002. Please place this page with the rest of the document.

Sincerely yours,



Donald P. Irwin  
Counsel for J. L. Shepherd & Associates

Enclosure

Template = SECY-067

SECY-02

1. A substantially longer transitional time than now proposed by either agency, for properly maintained 1967-Specification shipping containers for domestic shipments. Given the time necessary to design, fabricate, test and gain NRC review of a new COC design, the two-year transition period proposed by DOT would cause a shipping hiatus even if costs were not an issue.
2. A flexible COC design concept, which would permit internal packages whose dimensions and weight fell within defined ranges (rather than being unique) to be linked with one outerpack design of specific dimensions for shipment, thus minimizing the number of separate COCs to be obtained.
3. Specification of means by which existing packagings which were built before required compliance with NRC QA standards can be qualified under the new regulations, without requiring full, unobtainable, "QA Paper" compliance.
4. Adaptation of the "timely renewal" principle so as to enable holders of 1967-Specification packagings that submit substantially complete applications for new or requalified packages at least one year ahead of the ultimate phase-out date to continue shipments past the phase-out deadline, pending NRC action on their request for certification or recertification.

Exhibits:

1. J. L. Shepherd & Associates, Written Comments in Addition to Oral Comments Presented at the 9/26/00 Public Meeting on 10 CFR Part 71, Proposed Revision, compatibility with ST-1, September 29, 2000
2. Typical JLS&A Device Diagram
3. J. A. Sisler, "New Developments in Accident-Resistant Shipping Containers for Radioactive Materials", Sandia Corporation, 1968