

71-9001



October 28, 1991
Docket No. 71-9001

U. S. Nuclear Regulatory Commission
Office of Nuclear Materials Safety and Safeguards
Division of Safeguards and Transportation
Washington, D. C. 20555

Attention: Charles E. MacDonald, Chief
Transportation Branch

SUBJECT: IF-300 CASK - CLARIFICATION FOR SHIPMENT OF LPRM's IN CASK

Dear Mr. MacDonald:

The Certificate of Compliance for the IF-300 cask (certificate no. 9001, Rev.24), allows shipment of two (2) types of material.

- 1. Irradiated PWR and BWR uranium oxide fuel assemblies.
- 2. Solid non-fissile irradiated hardware.

Pacific Nuclear has a contract to ship irradiated non-fissile hardware from Fermi to the burial site at Hanford Washington. Included in the hardware are several LPRM's which contain a total of 0.008 grams of uranium-235. It is unclear to our customer whether or not the LPRM's can be classified as "non-fissile" since they contain uranium.

10CFR71.4 states that "...Fissile material means any material consisting of or containing one or more fissile radionuclides. Fissile radionuclides are plutonium-238, plutonium-239, plutonium-241, uranium-233 and uranium-235...". 10CFR71.53 states that "...The following packages are exempt from fissile material classification and from the fissile material standards of paragraphs 71.55 through 71.61, but are subject to all other requirements of this part: (a) A package containing not more than 15 grams of fissile radionuclides...". As stated above the total content of uranium-235 in all of the LPRM's ready for disposal is approximately 0.008 grams.

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Pacific Nuclear's position has been that LPRM's can be shipped in conjunction with other non-fissile material so long as the cask contains no more than 15 grams of fissile radionuclides as defined above.

Please clarify our position and render an opinion regarding our interpretation of this matter so we can submit a statement to our customer.

An expeditious review of the amendment application would be appreciated.

Written communications and questions should be directed to the undersigned.

Respectfully submitted,

PACIFIC NUCLEAR SYSTEMS, INC.

A handwritten signature in cursive script that reads "Wallace C. Wheadon".

Wallace C. Wheadon
Director, Spent Fuel Services
91090

cc: Peter Davin, Alaron