

May 2, 2003

Mr. Les W. Bradshaw, Manager  
Dept. of Natural Resources & Federal Facilities  
Nye County  
1210 E. Basin Rd., Suite 6  
Pahrump, Nevada 89060

Dear. Mr. Bradshaw,

In response to your letter dated March 18,2003, I am providing these responses to your "Constructive Comments" following the same order of issues as in your letter.

- Inclusion or exclusion of impact limiters (in the rail cask test). Correct; inclusion of the limiters does produce a test of the certified package design, not just the cask body. Exclusion of the limiters is a tougher test of the cask body itself. The level of realism associated with inclusion or exclusion of the impact limiters is an insight we hope to receive comment on.
- Inclusion of a puncture test after the "extra-regulatory" impact test and before the "extra-regulatory" fire test. There are technical arguments for and against the inclusion of a puncture test in the Package Performance Study test sequence. Correct, we might learn something additional from the puncture test; the issue is whether we can learn sufficient additional or different information from that test to warrant the additional effort.
- Full-scale tests involving casks with transport equipment. Although an option to consider, it is likely that using transport equipment, i.e., a tractor trailer or rail car, will complicate the pre-test analysis and the conduct and interpretation of the tests that are proposed in NUREG-1768.
- Test to failure. The NRC staff has not proposed testing to failure as part of the PPS Test Protocols so there is no NRC position on the appropriate sequencing of failure testing and "extra-regulatory" testing. The pre-test analyses for a sequence of failure and extra-regulatory testing could be quite complicated. It is likely that, if properly implemented, such testing could provide additional relevant data.
- Testing used casks and cask components. The NRC staff does not currently have any plans for an ongoing, full-scale cask-testing program. PPS has a specific scope and limited duration with beginning and end points. Casks used for certification testing would not typically be eligible to return to service (e.g., they would not be certified designs at the time of testing).
- The existing NRC cask-monitoring program. NRC regulation (10 CFR Part 71.87 Routine determinations) requires licensees to ensure that the package with its contents satisfies the applicable requirements and the general license to transport before each

- shipment of licensed material. This includes determining that: the package is in unimpaired physical condition except for superficial defects; each closure device of the packaging including any required gasket, is properly installed and secured and free of defects; the package has been loaded and closed in accordance with written procedures; and both package surface contamination and external radiation levels are within applicable limits.

The documentation for all packages certified by NRC is required to contain a section that specifies the operating procedures that are to be followed when using and maintaining the package. Also, NRC licensees are required to obtain and use an NRC approved Quality Assurance Plan when shipping in NRC certified packages that includes a requirement that licensees establish measures to prevent damage or deterioration of packaging materials and equipment. Subpart H of 10 CFR Part 71 contains additional details on quality assurance requirements.

Finally, licensees are required to report to NRC any instance in which there is significant reduction in the effectiveness of any Type-B or fissile packaging during transport (10 CFR 71.95 Reports)

I hope that the above responses will be useful in formulating your PPS comments.

Sincerely,

/RA/

Andrew J. Murphy  
Program Manager for PPS

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