

December 19, 2003

Mr. James K. Davis
Principle Engineer
Environmental, Health, Safety and Licensing
Framatome ANP, Inc.
2101 Horn Rapids Road
Richland, WA 99352

SUBJECT: CERTIFICATE OF COMPLIANCE NO. 9248 FOR MODEL NUMBERS SP-1,
SP-2, AND SP-3 SHIPPING CONTAINERS (TAC NOS. L23644 AND L23656)

Dear Mr. Davis:

As requested by your application dated September 5, 2003, as supplemented September 24, and November 6, 2003, enclosed is Certificate of Compliance (CoC) No. 9248, Revision No. 18, for the Model Nos. SP-1, SP-2, and SP-3. This certificate supersedes, in its entirety, CoC No. 9248, Revision No. 17, dated January 3, 2002. Changes made to the enclosed certificate are indicated by vertical lines in the margin. The staff's Safety Evaluation Report is also enclosed.

Those on the attached list have been registered as users of the package under the general license provisions of 10 CFR §71.12 or 49 CFR §173.471. The approval constitutes authority to use the package for shipment of radioactive material and for the package to be shipped in accordance with the provisions of 49 CFR §173.471.

If you have any questions regarding this certificate, please contact me or Stewart W. Brown of my staff at (301) 415-8500.

Sincerely,

/RA/

John D. Monninger, Chief
Licensing Section
Spent Fuel Project Office
Office of Nuclear Material Safety
and Safeguards

Docket No. 71-9248

Enclosures: 1. CoC No. 9248, Rev. No 18
2. Safety Evaluation Report

cc: R. Boyle, Department of Transportation
J. Schuler, Department of Energy
Registered Users
RAMCERTS

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DISTRIBUTION: (Closes TACs L-23644 and L23656)

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OFC:	SFPO	E	SFPO	E	SFPO		SFPO		SFPO	
NAME:	SBrown*		MDeBose*		AHansen*		AGiantelli*		JMonninger	
DATE:	12/17/03		12/18/03		12/18/03		12/18/03		12/19/03	

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SAFETY EVALUATION REPORT

Docket No. 71-9248
Model Nos. SP-1, SP-2, and SP-3 Packages
Certificate of Compliance No. 9248
Revision No. 18

SUMMARY

By application dated September 5, 2003, as supplemented by letter dated September 24, 2003, and two letters dated November 6, 2003, Framatome ANP Inc., (Framatome or the applicant) requested renewal of Certificate of Compliance (CoC) No. 9248, for Model Nos. SP-1, SP-2, and SP-3 packages for a term of five years. In addition the applicant requested that CoC No. 9248 be revised to: (1) consolidate the inner shipping container assembly drawing for each of the three separate models into one drawing; (2) revise the outer packaging drawing to allow counterboring the top lid bolt holes; and (3) include a new fuel category in CoC No. 9248. Framatome, to support its request, submitted a consolidated application for the package.

Framatome made its request for renewal in a timely manner. The certificate has been renewed for a five year term. In addition, based on the statements and representations in the application, the U.S. Nuclear Regulatory Commission (NRC or the staff) agrees that the other changes do not affect the ability of the packages to meet the requirements of Title 10 of the Code of Federal Regulations (10 CFR) Part 71.

EVALUATION

By application dated September 5, 2003, as supplemented, the applicant requested renewal of CoC No. 9248, for Model Nos. SP-1, SP-2, and SP-3 packages (USA/9248/AF). In addition, the applicant requested that CoC No. 9248 be revised to: (1) consolidate the inner shipping container assembly drawing for each of the three separate models into one drawing; (2) revise the outer packaging drawing to allow counterboring the top lid bolt holes; and (3) include a new lower enrichment fuel with no gadolinium in CoC No. 9248 for a fuel category previously authorized for the term of one year.

The applicant, in support of its request for certificate renewal, provided a consolidated application as specified in 10 CFR 71.38(c). The staff reviewed the consolidated application and concluded that the application incorporated the changes to the Safety Analysis Report that were previously referenced in CoC No.9248.

Consolidate the Drawings

The applicant submitted a revised drawing (EMF-304,416, revision 14 (SP-1, SP-2, and SP-3)) which consolidated information from three inner packaging drawings (EMF-304,416, revision 13 (SP-1), EMF-308,257, revision 5 (SP-2), EMF-309,818, revision 0 (SP-3)) into a single drawing. The staff has reviewed the consolidated drawing and

found that the designed dimensions of the packages were correctly incorporated, without change, into the revised drawing. Further, the staff found that no package design changes were made for any of the three packages. The staff has concluded that the performance of these packages were not affected by the drawing consolidation because the design of these packages were not changed. Thus, the staff has concluded that this action will not affect the safety of these packages.

Counterboring Top Lid Bolt Holes

The applicant requested approval to allow counterboring of the top lid bolt holes of the outer wooden container portion of the package. The applicant stated that counterboring the top lid bolt holes would allow the top of the lid bolts to be below the surface of the lid so that the bolts would not contact the feet of another outer container when stacked. Further the applicant stated that this change would not affect the safety of the package. The staff evaluated the impact of counterboring the lid bolt holes. The staff reviewed the applicant's acceptance tests and the maintenance program and found reasonable assurance that any significant damage to the wood box caused by the counterbored holes would be identified and corrected prior to loading of the package. Therefore, the staff has reasonable assurance that counterboring the lid bolt holes will not affect the safety of these packages.

Addition of a New Fuel Category

By application dated October 23, 2002, Framatome requested an amendment to CoC No. 9248 to temporarily authorize shipment of low enriched fuel with no gadolinium content in the packages. The request was made to support a reactor refueling. The fuel to be transported was replacement fuel for fuel that became defective midway through its life cycle. Thus, the replacement fuel had a lower enrichment and no gadolinium poison for core physics reasons. The NRC, based on the information submitted supporting this request, authorized shipment of these packages for a period of one year by amending CoC No. 9248 by letter (R. S. Freeman (Framatome) from J. D. Monninger (NRC) dated December 24, 2002). The applicant has requested that the lower enrichment fuel with no gadolinium authorized by the December 24, 2002, letter be incorporated into CoC No. 9248. To support its request the applicant incorporated the information provided in its letter dated October 23, 2002, into its consolidated application. The staff has determined that the findings previously made in its Safety Evaluation Report dated December 24, 2002, are still valid. Therefore, the staff has reasonable assurance that incorporation of this lower enriched non-gadolinium fuel into CoC No. 9248 will not affect the safety of these packages.

CONCLUSION

CoC No. 9248 has been renewed for a five year term that expires on February 28, 2009. In addition CoC No. 9248 has been revised to incorporate for the following: (1) a consolidate drawing for the inner shipping container assembly for the three separate models; (2) a revised outer packaging drawing allowing counterboring the top lid bolt holes; and (3) inclusion of a low enriched fuel with no gadolinium category in the CoC. Based on the statements and

representations in the application, the staff agrees that these changes do not affect the ability of the package to meet the requirements of 10 CFR Part 71.

Issued with Certificate of Compliance No. 9248, Revision No. 18 on December 19, 2003.