

**From:** "Waples, Richard J NWD02" <Richard.J.Waples@nwd02.usace.army.mil>  
**To:** "David Pstrak" <dwp1@nrc.gov>  
**Date:** 7/1/05 5:43PM  
**Subject:** Comments on the Regulations for the Safe Transport of Radioactive Material;  
Solicitation of Comments on the Proposed Changes

4/27/05

70 FR 21684

3

Dave,

I noted in the Federal Register notice of April 27, 2005 that you were listed as a Point of Contact for further information. I wanted to submit two comments for consideration under this Solicitation. I did not have the electronic mailing address for Mr. Michael Lesar, Chief of Rules and Directive Branches and I would request that you forward these comments for NRC and DOT consideration. If you have any questions please don't hesitate to contact me.

Thanks,  
Rick

Richard J. Waples, P.E.  
Regulatory Specialist  
US Army Corps of Engineers, HTRW-CX  
(402)697-2560

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2005 JUL 11 PM 1:05

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<<Comment on Change 1.doc>> <<Comment on Change 27.doc>>

**CC:** "Hearty, Brian P NWD02" <Brian.P.Hearty@nwd02.usace.army.mil>, "Zebrowski, Sandi M NWD02" <Sandi.M.Zebrowski@nwd02.usace.army.mil>

*GISF Review Complete*  
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*E-RIDS = ADM-03*  
*Att = J. Cook (SR01)*

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**Subject:** Comments on the Regulations for the Safe Transport of Radioactive Material; Solicitation of Comments on the Proposed Changes

**Creation Date:** 7/1/05 5:42PM

**From:** "Waples, Richard J NWD02"  
<Richard.J.Waples@nwd02.usace.army.mil>

**Created By:** Richard.J.Waples@nwd02.usace.army.mil

**Recipients**

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Brian.P.Hearty CC (Brian P NWD02 Hearty)

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**Files**

	<b>Size</b>
MESSAGE	638
TEXT.htm	1556
Comment on Change 1.doc	28672
Comment on Change 27.doc	29696
Mime.822	85164

**Date & Time**

07/01/05 05:42PM

**Options**

**Expiration Date:** None  
**Priority:** Standard  
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**2004-2005 Review/Revision Cycle**  
**Comments on Proposed Change to TS-G-1.1 "Advisory Material for the IAEA Regulations for the Safe Transport of Radioactive Material"**

NOTES:

1. Please, do not submit comments to indicate agreement with any Proposed Change;
2. Please, complete one Comment Form for each Proposed Change on which comment is provided;
3. For all submissions please provide the rationale for response to the Proposed Change (item 5 below);
4. The Change Number (item 1 below) for a Proposed Change is found in column 1 of the document entitled, "Proposed changes for 120 day review".

1. Change Number (See Note 4): <p style="text-align: center;">2</p>
2. Comment submitted by: Name: Richard Waples, P.E. Organization: U.S. Army Corps of Engineers Address: 12565 West Center Road, Omaha, NE 68144-3869 Tel.: 402.697.2560 Fax: 402.697.2639 E-mail: Richard.j.waples@usace.army.mil
3. Date of comment: 1 July 2005
4. Response to the Proposed Change (mark appropriate box) (see Note 1):  <input checked="" type="checkbox"/> Agree subject to the amended Proposed Change in item 6 below:  <input type="checkbox"/> Reject
5. Rationale for response to the Proposed Change: Currently there are no marking requirements in proposed Table IX for an "Overpack (other than an <i>overpack</i> containing only excepted packages)". Recommend Table IX specify the UN marking requirements for the "Overpack (other than an <i>overpack</i> containing only excepted packages)".
6. Amended Proposed Change, if any: Table IX should indicate that the <i>Overpack</i> should have the United Nations number, preceded by the letters "UN" and the proper shipping name. If more than one UN number is carried within the overpack, then each applicable proper shipping name and United Nations number, preceded by the letters "UN" shall be visible on the outside of the overpack.

**2004-2005 Review/Revision Cycle**  
**Comments on Proposed Change to TS-G-1.1 "Advisory Material for the IAEA Regulations for the Safe Transport of Radioactive Material"**

**NOTES:**

1. Please, do not submit comments to indicate agreement with any Proposed Change;
2. Please, complete one Comment Form for each Proposed Change on which comment is provided;
3. For all submissions please provide the rationale for response to the Proposed Change (item 5 below);
4. The Change Number (item 1 below) for a Proposed Change is found in column 1 of the document entitled, "Proposed changes for 120 day review".

1. Change Number (See Note 4):	27
2. Comment submitted by:	Name: Richard Waples, P.E. Organization: U.S. Army Corps of Engineers Address: 12565 West Center Road, Omaha, NE 68144-3869 Tel.: 402.697.2560 Fax: 402.697.2639 E-mail: Richard.j.waples@usace.army.mil
3. Date of comment:	1 July 2005
4. Response to the Proposed Change (mark appropriate box) (see Note 1):	<input type="checkbox"/> Agree <input checked="" type="checkbox"/> Agree subject to the amended Proposed Change in item 6 below: <input type="checkbox"/> Reject
5. Rationale for response to the Proposed Change:	Transportation regulations should not differentiate on whether the low-activity radioactive material (e.g. natural material and ore) is being transported for processing or for disposal in terms of whether it is appropriate and safe to exempt it from regulation. The proposed changes do not define what natural material and ores will include. Remediation wastes (e.g. soil, concrete, debris), processing residuals (e.g. metal processing, phosphate mining, etc.) and mill tailings that contain low activities of naturally-occurring radioactive material and the individual radionuclide concentrations do not exceed ten times the values specified in Tables 401-406, should be included in this exemption.
6. Amended Proposed Change, if any:	"(e) material (e.g. soil, concrete, debris, and processing residuals) and ores containing naturally occurring radionuclides provided the activity concentration of the material does not exceed 10 times the values specified in paragraphs 401-406;"