



**CERTIFIED MAIL
RETURN RECEIPT REQUESTED**

RDM-05-009

August 1, 2005

ATTN: Document Control Desk
Director, Spent Fuel Project Office,
Office of Nuclear Material Safety and Safeguards,
U.S. Nuclear Regulatory Commission,
Washington, DC 20555-0001

Subject: 10 CFR 71.95 Report of Non-Compliance with Certificate of Compliance USA/6206/AF, Revision 30, for the Model B Package

To Whom It May Concern:

On May 23, 2005, Framatome ANP (FANP), Inc., an AREVA and Siemens Company, initiated an internal audit of the repair records for the Model B shipping containers, Certificate of Compliance (COC) USA/6206/AF. An initial review of the repair records completed June 2, 2005 indicated that an unqualified welder performed repairs on three containers (#4, #14 and #25) in 2001. The containers were, however, visually inspected after completion of the repairs and found to be acceptable in that 6X minimum magnification indicated no cracks.

The review also identified an incomplete work instruction related to a repair for container #21. Subsequent inspection of container #21 indicates that a small repair to the container shell has been completed. However, the date of the repair cannot be determined since the objective evidence demonstrating compliance could not be located. Also, container #22 had an undocumented toggle clamp (a non-safety component) repair. The containers have not been used to transport fuel since discovery of these deficiencies.

Condition 5(a)(3) of the Certificate of Compliance (COC) requires that construction of the containers must be in accordance with Framatome Cogema Fuels (FCF) Drawing Nos. 1273422, Rev.0; 1273423, Rev. 0; 1273424, Rev. 0; 1273425, Rev. 0, 1273426, Rev. 0; and 1273427, Rev. 0. Drawing 1273427, Rev. 0, Note 1 indicates that, "All container welding, after April 1998, shall be done according to the American Welding Society Code for Structural Welding (AWS D1.1) or the American Society of Mechanical Engineers Boiler and Pressure Vessel Code, welding and brazing qualifications (ASME Code IX). In addition all welds shall be visually inspected with 6X minimum magnification and shall have no cracks". Contrary to the requirements of

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the COC, during the period from 2001 to the present, containers #4, #14 and #25 had been used for fuel shipments with single weld repairs made by an unqualified welder. Also, for some interval during the period that the current COC requirements were established, April 1998 to the present, container #21 had been used for fuel shipments with a shell repair that was not appropriately documented in that the objective evidence to demonstrate compliance could not be located. Furthermore, container #22 had an undocumented toggle clamp (non-safety component) repair.

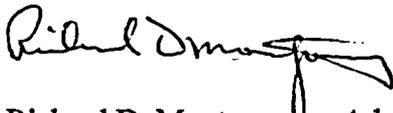
FANP has taken immediate corrective actions that include clarification of expectations and training of appropriate personnel to these expectations to prevent a recurrence of these errors. The issues related to this report have been entered into the FANP Corrective Action Program. Specifically, the containers in question were removed from service to be repaired by a qualified welder. Appropriate objective evidence will be generated that includes a compliance verification check to ensure that the repaired containers comply with the COC requirements.

In accordance with 10 CFR 71.95 (a)(1), FANP does not consider the packages listed in this notice to have had a significant reduction in their effectiveness as a result of the noted repairs or missing objective evidence to demonstrate compliance with the COC requirements since inspections have demonstrated acceptable welds. This report is being made in accordance with 10 CFR 71.95 (a)(3); Instances in which the conditions of approval in the Certificate of Compliance were not observed in making a shipment.

If you or your staff have any questions, require additional information, or wish to discuss the matter further, please contact me at 423-791-5719. Please reference the unique document identification number in any correspondence concerning this letter.

Sincerely,

Framatome-ANP, Inc., an AREVA and Siemens Company



Richard D. Montgomery, Advisory Engineer
Nuclear Criticality Safety & Shipping Containers

Cc:
E. W. Brach, Director
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