

**From:** Shawn Williams  
**To:** Jeff Arbital  
**Date:** 12/12/05 2:17PM  
**Subject:** NRC Retracting November 8, 2005, RAI questions 2-5, 2-9, and 2-13

Docket No. 71-9315, Model No. ES-3100

Jeff Arbital,

Per our conference call on Dec. 8, concerning staff's Request for Information (RAI) dated November 18, 2005, we are retracting the Request for Additional Information questions 2-5, 2-9, and 2-13 for the following reasons:

Question 2-5: *"Clarify whether or not the drum lid closure nuts are ASME Code material. Incorporate the drum lid closure nut material in the drawings."*

This RAI is withdrawn because the nut material is specified by an ASTM standard. This is acceptable per DOT regulations (49 CFR 171) for the fabrication of shipping drums.

Question 2-9: *"Verify data tabulated in Table 5.8; in particular, the column of atomic density."*

This RAI is withdrawn because staff re-verified the value to be correct.

Question 2-13: *"Discuss the rationale for not specifying a volumetric examination of the butt welds that are part of the drum fabrication. Any deviation from the ASME Code must be identified and discussed by the applicant in the SAR and identified in the drawings. Where appropriate, paragraph 8.1.2 and Table 8.1 should also be modified for consistency with any changes to paragraph 2.3.1.1."*

This RAI is withdrawn because the portions of the ASME Code that are invoked for the drum fabrication are an acceptable alternative to the AWS Code, which is acceptable per DOT regulations. The AWS Code does not require radiography, whereas the ASME Code generally does. Deleting the ASME radiography requirement from the drum fabrication specification thus brings the construction requirements into congruence with the normally specified DOT 49 CFR 171 regulations, which accept AWS as the Code of record.

There is no need for you to respond to these questions in your RAI submittal. Or, if you wanted to address them, you could write, "NRC retracted question per e-mail dated 12/12/05."

This e-mail will be entered in our ADAMS system as an Official Agency Record.

Sincerely,

Shawn A. Williams  
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U.S. Nuclear Regulatory Commission  
Spent Fuel Project Office, NMSS  
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"There is a real magic in enthusiasm.  
It spells the difference between mediocrity  
and accomplishment."

**CC:** Geoffrey Hornseth; Gordon Bjorkman; Robert Einziger; Robert Nelson; Shawn

Williams

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**Subject:** NRC Retracting November 8, 2005, RAI questions 2-5, 2-9, and 2-13  
**Creation Date:** 12/12/05 2:17PM  
**From:** Shawn Williams

**Created By:** SAW8@nrc.gov

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