

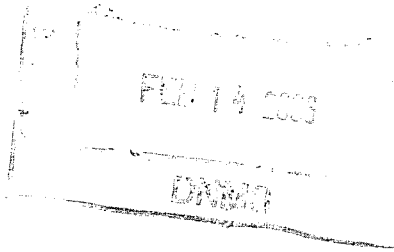


ENERGYSOLUTIONS

CD06-0056

February 9, 2006

Leonard Wert, Director
Division of Nuclear Materials Safety
U.S NRC Region IV
Texas Health Resources Tower
611 Ryan Plaza, Suite 400
Arlington, TX 76011-4005



Subject: Notification of Event to NRC Region IV Concerning Utah Division of Radiation Control (DRC) Radioactive Material License UT 2300249, License Condition 13.H

Mr. Wert:

As required by EnergySolutions' radioactive material license, EnergySolutions is providing a written notification to the NRC Region IV office.

EnergySolutions received shipment 9048-01-0037 from Department of Energy (DOE), Idaho National Laboratory (INL) on December 15, 2005. The shipment consisted of two cargo containers with 12 drums in one container and 13 drums in the other container. Each cargo container was manifested as the DOT package. The shipment as received and manifested was in compliance with EnergySolutions' radioactive material license. The shipment was accepted and placed on EnergySolutions container storage pad awaiting RCRA treatment via macroencapsulation.

On January 27, 2006, EnergySolutions was verbally notified by INL that shipment 9048-01-0037 may have a container that contained radionuclide concentrations in excess of Class A concentration limits. EnergySolutions immediately placed this shipment on hold awaiting further information from INL.

On January 30, 2006, INL confirmed that this shipment contained a drum that exceeded the Class A limit. EnergySolutions immediately secured and isolated the shipment and rescinded INL's Notice to Transport. In addition, EnergySolutions requested a Corrective Action Plan from INL that must document the root cause, corrective actions, and quality assurance measures that will be put in place to prevent recurrence. EnergySolutions' Vice President of Compliance and Permitting notified the Utah Division of Radiation Control of the incident. EnergySolutions requested that INL provide the necessary resources and documentation to return the shipment to their facility.

On February 1, 2006, seven individuals from INL arrived at EnergySolutions' disposal site to return the shipment to INL. They provided a copy of the packaging and

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transportation plan which listed a transuranic concentration of 243 nCi/g for the non-conforming container. The shipment left EnergySolutions' site by the end of the working day.

EnergySolutions' Corporate Radiation Safety Officer reviewed the packaging and transportation plan provided for the non-conforming drum and determined that EnergySolutions needed to notify NRC Region IV per the Special Nuclear Material exemption requirements specified in Condition 13.H of the radioactive material license. EnergySolutions notified NRC Region IV, via e-mail, on February 2, 2006.

The non-conforming drum had concentrations in excess of the SNM exemption for plutonium-239 (164,923 pCi/g) and plutonium-240 (25,352 pCi/g). This shipment would comply with the SNM exemption that was revised by the NRC on June 2005 (copy attached) but EnergySolutions has not submitted as an amendment to its DRC radioactive material license. A copy of EnergySolutions' current radioactive material license is attached for reference.

Please contact me at (801)-649-2152 with any questions or concerns.

Sincerely,



Mark R. Ledoux, CHP
Corporate Radiation Safety Officer

Attachments

Cc: Mr. Dane Finerfrock, Director, Utah Division of Radiation Control