

Nancy Osgood - Conference Call Follow-up

From: <Michael.Conroy@dot.gov>
To: <NLO@nrc.gov>
Date: 06/20/2006 5:53 PM
Subject: Conference Call Follow-up
CC: <rick.boyle@dot.gov>

Nancy-
Attached for your consideration is my current draft of a special permit for DOE.

In particular, take a look at section 7.
Note that I put in a placeholder in section 7.b.(4) for other conditions you mentioned on the call.
Let me know if you spot any other issues.

I need to get this cleared out of our system one way or the other soon.

Thanks!
--Mike



U.S. Department
of Transportation

400 Seventh Street, S.W.
Washington, D.C. 20590

**Pipeline and
Hazardous Materials
Safety Administration**

DOT-SP 14267

EXPIRATION DATE: June xx, 2008

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: U.S. Department of Energy
Washington, DC
2. PURPOSE AND LIMITATION:
 - a. This special permit authorizes the transportation in commerce of fissile uranium contaminated equipment containing up to 350 g of uranium-235 to be transported in US DOT 7A, Type A packaging. This special permit provides no relief from the Hazardous Materials Regulations (HMR) other than as specifically stated herein.
 - b. The safety analyses performed in development of this special permit only considered the hazards and risks associated with transportation in commerce.
3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.
4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR § 173.417(a) as it pertains to the requirement to package this material in Type AF packaging or other authorized packages for the transport of this fissile material.
5. BASIS: This special permit is based on the application of the U.S. Department of Energy dated October 13, 2005 submitted in accordance with § 107.105 and the public proceeding thereon.

6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Hazardous Materials Description			
Proper Shipping Name	Hazard Class/ Division	Identification Number	Packing Group
Radioactive material, Type A package, fissile <i>non-special form</i>	7	UN3327	N/A

7. SAFETY CONTROL MEASURES:a. PACKAGING -

(1) Packages authorized by this permit must meet the Type A package requirements of 49 CFR 173.461 through 173.465. Contents of the package must not exceed a Type A quantity.

(2) The only fissile material authorized in the packages is U-235. The maximum quantity of fissile material per package is 250 grams U-235.

(3) Packages are to consist of wooden crates within steel containers. The net weight of each package must exceed 1000 pounds.

b. OPERATIONAL CONTROLS -

(1) The packages must be consigned under exclusive use provisions and transported under the requirements for exclusive use shipments of 49 CFR 173.441 and 173.457.

(2) Other fissile materials may not be shipped in the same conveyance with these packages.

(3) A minimum criticality safety index (CSI) of 50 will be assigned to each package.

(4) **OTHER CONDITIONS TBD (FROM NRC)**

8. SPECIAL PROVISIONS:

A current copy of this special permit must be maintained at each facility where the package is offered or reoffered for transportation.

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle and rail freight.
10. MODAL REQUIREMENTS:
 - a. A current copy of this special permit must be carried aboard each motor vehicle used to transport packages covered by this special permit.
 - b. The grantee must ensure that each rail carrier involved in the transportation of these packages is provided with a current copy of this special permit.
11. COMPLIANCE: Failure by a person to comply with any of the following may result in suspension or revocation of this special permit and penalties prescribed by the Federal hazardous materials transportation law, 49 U.S.C. 5101 et seq:
 - o All terms and conditions prescribed in this special permit and the Hazardous Materials Regulations, 49 CFR Parts 171-180.
 - o Persons operating under the terms of this special permit must comply with the security plan requirement in Subpart I of Part 172 of the HMR, when applicable.
 - o Registration required by § 107.601 et seq., when applicable.

Each "Hazmat employee", as defined in § 171.8, who performs a function subject to this special permit must receive training on the requirements and conditions of this special permit in addition to the training required by §§ 172.700 through 172.704.

No person may use or apply this special permit, including display of its number, when this special permit has expired or is otherwise no longer in effect.

12. REPORTING REQUIREMENTS: Shipments or operations conducted under this special permit are subject to the Hazardous

Materials Incident Reporting requirements specified in 49 CFR §§ 171.15 - Immediate notice of certain hazardous materials incidents, and 171.16 - Detailed hazardous materials incident reports. In addition, the grantee(s) of this special permit must notify the Associate Administrator for Hazardous Materials Safety -- OHMEA, in writing, of any incident involving a package, shipment or operation conducted under terms of this special permit.

Issued in Washington, D.C.

Robert A. McGuire
Associate Administrator for
Hazardous Materials Safety

DATE

Address all inquiries to: Associate Administrator for Hazardous Materials Safety, Pipeline and Hazardous Materials Safety Administration, Department of Transportation, Washington, D.C. 20590. Attention: PHH-31.

Copies of this special permit may be obtained by accessing the Hazardous Materials Safety Homepage at <http://hazmat.dot.gov/exemptions> Photo reproductions and legible reductions of this special permit are permitted. Any alteration of this special permit is prohibited.

PO: MC