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January 5, 2007

ATTN: Document Control Desk
US Nuclear Regulatory Commission
Washington, DC 20555

Subject: Reply to a Notice of Violation – Inspection Report No. 50-083/2006-203

The subject Inspection Report cites the UFTR facility for a Severity Level IV violation as quoted here: “Contrary to 49 CFR 172.304 (a) (1) and 49 CFR 172.403 (g), on August 25, 2006, the licensee made a shipment of radioactive material without properly affixing the markings to the package and did not use durable weather resistant means of marking the package. During transit the markings and labeling apparently came off and, when the package of radioactive material was inspected in South Carolina, the markings and labeling applied by the licensee were missing. Therefore, contrary to the requirements stated in 49 CFR 172.301, 310, 402, and 403, the cask was being transported without being properly marked and labeled. Also, contrary to 49 CFR 172.324 (b), the initial marking on the shipment did not contain the letters “RQ” on the package in association with the proper shipping name.”

1. Reason for Violation

The violation (both parts) is admitted in its entirety. The reason for the first part of the violation is attributed to the desire to protect the cask surface by affixing the markings and labels with sufficient tape to assure our markings would remain in place but not so much as to require excessive surface abrasion for removal. This facility had been counseled in this area by other cask users. When no problems with the durability of markings and labels were noted with the first shipment, the licensee assumed that there would be no problem with the other shipments. Unfortunately, heavy rainstorm conditions were encountered with the second shipment. It is assumed that water caused the tape to lose its adhesion thus causing loss of the markings and labels.

As for the second part of the violation, we also admit that the initial markings on the shipment (also the case for the other two shipments) did not contain the letters “RQ” on the package in association with the proper shipping name. The violation is attributed to a misreading of the 49 CFR regulations and characterization of the material shipped. The shipping papers accompanying the shipment did contain the “RQ” notation.

2. Corrective Action Taken to Date/Results Achieved

As noted by the inspector during his visit, the licensee was informed that "some of the labeling" had been removed (lost) from the package during its transport through rough weather. Licensee personnel, in consultation with consultants, then selected a different, more weather-resistant means of marking and labeling the package for the third shipment. The affixing of the marking and labeling was also undertaken with much less regard for eventual need to remove the markings. The fact that this third shipment also progressed through rough weather (tropical storms were beginning to impact part of the route) but arrived with all markings intact demonstrates proper corrective action and successful results for the corrective action in the matter of improperly affixing the marking and labeling.

As a note, an extra set of markings and labels were carried by the drivers but wet conditions apparently precluded their use.

As for the second part of the violation, corrective action to date includes careful review of the DOT regulations (49 CFR 172.324(b)) but the only results achieved are documented by the inclusion of a copy of this inspection report and this response with notice of violation included with the shipping records. This will assure the letters "RQ" will be considered for application on the package in association with the proper shipping name for any future shipment of this type by the licensee (R-56).

3. Corrective Action to be Taken to Avoid Further Violations

No further shipments of the type cited are expected in the foreseeable future. However, the use of different means of affixing the markings in the third shipment where the affixed markings also encountered stormy weather demonstrates that the affixing products used (tape) and means of affixing the markings were successful for this third shipment and can be assumed to be so for any future shipments. The citation for failure to have the shipment markings have the letters "RQ" on the package in association with the proper shipping name will be assured for future shipments, if any, by having the inspection report and response included with the shipping records.

4. Date of Full Compliance

The facility is currently in full compliance. No further such shipments are expected in the foreseeable future. However, the change in the means of affixing labels and the inclusion of reminder materials in the shipping records will assure continued full compliance.

We trust this response satisfies the requirements delineated in Inspection Report No. 50-083/2006-203. If there are any further questions, please advise.

Sincerely,



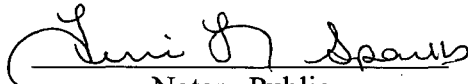
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WGV/dms

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RSRS Safety Review Subcommittee (RSRS)

Sworn and subscribed this 5th day of January 2007



Notary Public



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