



**CERTIFIED MAIL
RETURN RECEIPT REQUESTED**

RDM-08-003

April 24, 2008

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

Subject: **10 CFR 71.95 Report of Non-Compliance with Certificate of Compliance USA/9196/B(U)F-96, Revision 22, for the Model No. UX-30 Package**

To Whom It May Concern:

On March 7, 2008, AREVA NP Inc., an AREVA and Siemens Company, discovered that a shipment of three (3) UX-30 UF₆ Overpacks each containing a single Model B UF₆ Cylinder, containing less than a heel quantity of material, from our facility located in Richland, Washington to the Atlantic Container Line for export located in Dundalk, Maryland violated the requirements of NRC Certificate of Compliance (CoC) USA/9196/B(U)F-96, Revision 22, Section 9 (c), in that not all of the requirements of Chapter 7 of the application as supplemented were met. Specifically, the requirements of paragraph 7.1.2.17, of the Duratek Inc Safety Analysis Report (SAR), Revision 0, dated May 2005 were violated in that the package (overpack) tamper-indicating seals were not installed in their proper locations. Specifically, the tamper-indicating seals were not installed. However, each Model B UF₆ cylinder was properly tamper sealed in accordance with the requirements of paragraph 7.1.2.9 of the SAR. Attachment A to this letter provides additional information related to this shipment.

The shipment departed our facility located in Richland, Washington on February 26, 2008. The tamper-indicating seals were discovered by AREVA to have not been installed on March 7, 2008 after shipment departure from the export facility located in Dundalk, Maryland. However, the tamper-indicating seals were appropriately applied at the receiving facility in Amsterdam prior to departure for their final destination at Eurodif-Production, France.

Per 10 CFR 71.95 (a) (1), AREVA does not consider the conditions of the subject shipment, listed in this notice, to have caused a significant reduction in the effectiveness of the package. There was no impact to the safety basis of the package or increased risk to the public. This report is being made in accordance with the requirements of 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. Further justification is provided in Attachment A.

AREVA NP INC.
An AREVA and Siemens company

NIMSSD 1

If you or your staff have any questions, require additional information, or wish to discuss the matter further, please contact me at 434-832-5172. Please reference the unique document identification number in any correspondence concerning this letter.

Sincerely,



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

Cc:

E. W. Brach, Director
Spent Fuel Project Office
Office of Nuclear Material Safety and Safeguards,
U.S. Nuclear Regulatory Commission,
Washington, DC 20555-0001

Attachment A
Additional Information

AREVA NP INC.
An AREVA and Siemens company

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Tel.: (434) 832-3000 - Fax: (434) 832-3840

10 CFR 71.95 Sections (1) and (2)

(1) A brief abstract describing the major occurrences during the event, including all component or system failures that contributed to the event and significant corrective action taken or planned to prevent recurrence.

On March 7, 2008, AREVA NP Inc., an AREVA and Siemens Company, discovered that a shipment of three (3) UX-30 UF₆ Overpacks each containing a single Model B UF₆ Cylinder, containing less than a heel quantity of material (less than 25 lb), from our facility located in Richland, Washington to the Atlantic Container Line for export located in Dundalk, Maryland violated the requirements of NRC Certificate of Compliance (CoC) USA/9196/B(U)F-96, Revision 22, Section 9 (c), in that not all of the requirements of Chapter 7 of the application as supplemented were met. Specifically, the requirements of paragraph 7.1.2.17, of the Duratek Inc Safety Analysis Report (SAR), Revision 0, dated May 2005 were violated in that the package (overpack) tamper-indicating seals were not installed in their proper locations. Specifically, the overpack tamper-indicating seals were not installed. However, each Model B UF₆ cylinder was properly tamper sealed in accordance with the requirements of paragraph 7.1.2.9 of the SAR.

The shipment departed our facility located in Richland, Washington on February 26, 2008. The tamper-indicating seals were discovered by AREVA to have not been installed on March 7, 2008 after shipment departure from the export facility located in Dundalk, Maryland. However, the overpack tamper-indicating seals were appropriately applied at the receiving facility in Amsterdam prior to departure for their final destination at Eurodif-Production, France.

There were no component or system failures during the event.

A UF₆ Package Shipment Inspection Form is completed as justification that the planned shipment meets the applicable regulatory requirements. The governing procedure for the operation identifies the form use but provides no instructions regarding completion and verification. The form identified the tamper-indicating seals by number, but the form was not used to verify that the seals had been installed.

To prevent a recurrence of this error with the UX-30 package and also with any similar containers, AREVA is taking corrective actions that include changing procedural requirements to clarify expectations, training appropriate personnel to these changes, and discussing the appropriate required actions with the packaging group.

(2) A clear, specific, narrative description of the event that occurred so that knowledgeable readers conversant with the requirements of part 71, but not familiar with the design of the packaging, can understand the complete event. The narrative description must include the following specific information as appropriate for the particular event.

(i) Status of components or systems that were inoperable at the start of the event and that contributed to the event;

There was no inoperable component or system at the start of the event or that contributed to the event. The three (3) UX-30 packages each contained a single UF₆ cylinder with less than a heel quantity of material. All safety requirements were met in preparation of the packaging for shipment with the exception that tamper-indicating seals were not applied to the UX-30 overpacks.

AREVA NP INC.
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(ii) Dates and approximate times of occurrences;

A single shipment of three (3) UF₆ cylinders, each containing less than a heel quantity of material, were loaded into three (3) separate UX-30 overpacks and subsequently shipped on February 26, 2008.

(iii) The cause of each component or system failure or personnel error, if known;

There were no component or system failures. An issue evaluation identified inappropriate actions involving the use of a form.

An issue evaluation was performed which identified inappropriate actions involving the use of a UF₆ Package Shipment Inspection Form. The governing procedure for the operation identified the form use but provided no instructions regarding completion and verification. The form identified the tamper-indicating seals by number, but the form was not completed and further not used to verify that the seals had been installed prior to shipment departure.

(iv) The failure mode, mechanism, and effect of each failed component, if known;

There were no failed components.

(v) A list of systems or secondary functions that were also affected for failures of components with multiple functions;

There were no other systems or secondary functions that were affected by the failure to properly apply the tamper-indicating seals to the UX-30 overpacks prior to shipment departure.

(vi) The method of discovery of each component or system failure or procedural error;

There were no component or system failures.

(vii) For each human performance-related root cause, a discussion of the cause(s) and circumstances;

The tamper-indicating seals were identified on the shipping documents however they were not applied to the UX-30 overpacks prior to departure from the Richland, Washington site. An issue evaluation was performed to identify the apparent cause(s) as indicated in (2) (iii).

(viii) The manufacturer and model number (or other identification) of each component that failed during the event; and

There were no component failures during the event.

(ix) For events occurring during use of a packaging, the quantities and chemical and physical form(s) of the package contents.

The shipment involved three (3) UF₆ Model 30B cylinders each containing less than a heel (less than 25 lb) quantity of material. These cylinders were further packaged into three (3) UX-30 overpacks. The material is solid normal form. The enrichments were all less than 5.0 wt% ²³⁵U.