

HLWYM NPEmails

From: Chris Bajwa
Sent: Thursday, August 24, 2006 4:21 PM
To: Christopher Ryder
Subject: Re: Question

Chris,

In general SFPO staff tends to agree with the OGC finding. Here are some additional thoughts, however:

All conditions in the Certificate of Compliance for the transportation package should be satisfied. For instance, there may be some specifications that the package is unloaded under certain conditions that should apply even if unloaded at the repository. Additionally, if we were to give moderator exclusion in the future, there may be a condition that unloading be dry or in borated water.

Also, some places tend to want to "store/hold" packages on-site, or close to the site, while still in the transportation package and say that the material is still "in transit," thus relying on the Part 71 analysis. OGC needs to decide how to handle such situations. Does any such on-site holding need a separate Part 63 review?

There are conditions in a transportation C of C that apply and must be satisfied before the package goes out the gate at the shipper's end, i.e., the package must be properly prepared for shipment. Thus, Part 71 has an impact even before the package leaves the shipper.

csb

>>> Christopher Ryder 08/24/2006 10:39 AM >>>
Chris B.

Per our discussion, I am gathering questions for a tech exchange meeting next week. The questions would be for management to be prepared to answer questions.

Do we have the rights words for a question? Do we have an answer that SFPO would support.

Chris R.

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Question 9: Where does Part 71 end and Part 63 begin?

From OGC: A transportation cask is regulated under Part 71 up to the boundary of the GROA, not the site boundary. Once the transportation cask is in the GROA, it comes under Part 63.

Possible revision

Part 71 and 63 may both apply and overlap at the same time while the transportation casks are on-site and awaiting processing. Part 71 transportation cask certificates address unloading procedures which would still apply within the GROA boundary. From a Part 63 standpoint, NRC stated in a technical exchange last year that the transportation casks in the buffering and receipt area is also subject to the PCSA. This is particularly important to air crash frequencies, because the on-site transport casks add to aerial footprint of the GROA, which is a key parameter in air crash frequency estimate.

Though not in the regulations per se, a transportation cask has to undergo an inspection before it is received, even though it is physically on a site.

The notion of overlap is not unique here. Parts 50 and 71 both address criticality. The issue of where to draw the line where one regulation ends and where another begins is addressed on a case by case basis.

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From: Chris Bajwa

Created By: Chris.Bajwa@nrc.gov

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"Christopher Ryder" <Christopher.Ryder@nrc.gov>
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