

August 28, 2008

Dae Y. Chung
Headquarters Certifying Official
Deputy Assistant Secretary for
Safety Management and Operations
Environmental Management
U.S. Department of Energy
Washington, DC 20585

SUBJECT: TRANSPORTATION PACKAGES

Dear Mr. Chung:

The purpose of this letter is to follow up on our telephone conversation of August 19, 2008, and to respond to your letter to me dated August 11, 2008, concerning the use by the U.S. Department of Energy (DOE) and its contractors of certain U.S. Nuclear Regulatory Commission (NRC) certified transportation packages. The NRC authorization for such packages will expire on October 1, 2008. As I understand, the objective of your letter was to inform NRC that DOE will issue DOE certificates to allow DOE and its contractors to make shipments in the subject packages after the October 1, 2008 expiration date.

Based on our discussions and as stated in your August 11, 2008, letter, the DOE certification of such packages will be conducted under existing DOE authority and therefore will not require any engagement or action by NRC.

I appreciate your efforts to inform us of your planned actions, and I look forward to continued interactions with you and your staff on transportation program related matters of mutual interest.

Sincerely,

/RA/

E. William Brach, Director
Division of Spent Fuel Storage
and Transportation
Office of Nuclear Material Safety
and Safeguards

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