



Department of Energy
Carlsbad Field Office
P. O. Box 3090
Carlsbad, New Mexico 88221
September 8, 2008

ATTN: Document Control Desk
Director, Spent Fuel Project Office
Office of Nuclear Materials Safety and Safeguards
11555 Rockville Pike
Rockville, MD 20852-2738

Dear Director:

This letter is to confirm information discussed during the teleconference held July 21, 2008, between members of the Department of Energy (DOE), Carlsbad Field Office (CBFO) staff and Robert Temp of the Nuclear Regulatory Commission (NRC).

The CBFO hereby notifies your office that the CBFO has and continues to maintain a Quality Assurance (QA) Program that is compliant with Title 10 Code of Federal Regulations Part 71 Subpart H (10 CFR, Subpart H). Document DOE/CBFO-94-1012 is the guiding document used by CBFO to control activities that are applicable to the design, fabrication, assembly, testing, maintenance, repair, modification and use of Type B Packaging. As required by Public Law 102-579, Section 16, The Waste Isolation Pilot Plant Land Withdrawal Act, the NRC will continue to certify all Type B Packaging designs and determine, as necessary, that the applicable QA requirements have been satisfied. The NRC has issued a Certificate of Compliance (C of C) to the DOE for the TRUPACT-II (C of C No. 9218), the HalfPACT (C of C No. 9279) and the RH-TRU 72-B (C of C No. 9212).

DOE/CBFO-94-1012 requires contractors and subcontractors to establish a quality assurance program plan (QAPP). The NRC Regulatory Guide 7.10, Revision 2 "Establishing Quality Assurance Programs for Packaging Used in Transport of Radioactive Material" will be used for the development of the applicable QAPP. The QAPP will be evaluated and approved by the CBFO prior to implementation with compliance verification determined by periodic surveillances and audits.

The CBFO is responsible for maintaining the quality assurance program. The CBFO delegates to others such as contractors, agents or consultants the responsibility for implementing the program. Therefore, the approval requirements of 10 CFR 71.17(b) and 10 CFR 71.101(c) would not be applicable for this program.

If you have any questions, please contact Ava Holland, CBFO Quality Assurance Manager, at (575) 234-7423.

Sincerely,

A handwritten signature in black ink that reads "David C. Moody".

David C. Moody
Manager

115501

cc:

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