

November 7, 2008

Mr. Patrick L. Paquin  
GM, Engineering & Licensing  
EnergySolutions  
140 Stoneridge Drive  
Columbia, South Carolina 29210

SUBJECT: REVISION 23 OF CERTIFICATE OF COMPLIANCE NO. 9196 FOR THE  
MODEL NO. UX-30 PACKAGE

Dear Mr. Paquin:

As requested by your letter dated October 29, 2008, enclosed is Certificate of Compliance No. 9196, Revision No. 23, for the model No. UX-30 package. Changes made to the certificate are indicated by vertical lines in the margin. The staff's Safety Evaluation Report is also enclosed.

Those on the attached list have been registered as users of the package under the general license provisions of 10 CFR 71.17 or 49 CFR 173.471. This approval constitutes authority to use the package for shipment of radioactive material and for the package to be shipped in accordance with the provisions of 49 CFR 173.471.

If you have any questions regarding this certificate, please contact me or Michele Sampson of my staff at (301) 492-3300.

Sincerely,

**/RA/**

Eric J. Benner, Chief  
Licensing Branch  
Division of Spent Fuel Storage and Transportation  
Office of Nuclear Material Safety  
and Safeguards

Docket No. 71-9196  
TAC No. L24285

Enclosures: 1. Certificate of Compliance No. 9196, Rev. No. 23  
2. Safety Evaluation Report  
3. Registered Users List

cc w/encls. 1 & 2: R. Boyle, Department of Transportation  
J. Shuler, Department of Energy

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NAME	MSampson		NOsgood		MDebose		EBenner	
DATE	11/6/08		11/7/08		11/7/08		11/7/08	

## **SAFETY EVALUATION REPORT**

**Docket No. 71-9196**  
**Model No. UX-30 Package**  
**Certificate of Compliance No. 9196**  
**Revision No. 23**

### **SUMMARY**

By letter dated October 29, 2008, as supplemented November 6, 2008, *EnergySolutions* requested a revision to Certificate of Compliance No. 9196 for the Model No. UX-30 package. *EnergySolutions* requested changes to the authorized contents to explicitly allow transport of unirradiated uranium, in the form of uranium hexafluoride ( $UF_6$ ), with a U-235 mass percentage not exceeding 5 percent. Additionally, in 2006, *EnergySolutions* acquired Duratek, therefore, Certificate of Compliance No. 9196 is being transferred from Duratek to *EnergySolutions*.

Based on the statements and representations in the application, as supplemented, the staff agrees that the changes do not affect the ability of the package to meet the requirements of 10 CFR Part 71.

### **EVALUATION**

*EnergySolutions* requested revision of Certificate of Compliance No. 9196 for the Model No. UX-30 package by letter dated October 29, 2008, as supplemented.

The following revisions to the certificate have been made:

The certificate holder, Item No. 3(a), has been changed from Duratek to *EnergySolutions*. *EnergySolutions* acquired Duratek, and has accepted responsibility for the completeness and accuracy of the statements and representations of the previous certificate holder, Duratek. *EnergySolutions* will be responsible for maintenance of the certificate and Safety Analysis Report for the package design in accordance with the requirements of 10 CFR 71.91(c). *EnergySolutions* has indicated that the records for this design will be maintained at the same location where the records have been maintained by Duratek, in Columbia, South Carolina.

Condition No. 5(b)(1) and (2) have been revised to clarify that natural or depleted  $UF_6$  is authorized for transport, in addition to  $UF_6$  enriched up to 5 weight percent in the U-235 isotope. The UX-30 package was evaluated for  $UF_6$  enriched to 5 weight percent in the U-235 isotope, which has the same physical and chemical properties as natural and depleted  $UF_6$ . Natural and depleted  $UF_6$  are defined as non-fissile, and therefore, criticality is not a concern.

Condition No. 12, which allowed an alternative package identification number with the -85 designation, was deleted in its entirety because it was no longer needed.

As a consequence of the removal of Condition No. 12, the previous Conditions No. 13 – 15 were renumbered 12 – 14, respectively.

Condition No. 13 was modified to authorize use of the previous revision of the certificate for a period of approximately one year.

## **CONCLUSION**

The Certificate of Compliance has been revised to transfer the certificate from Duratek to Energy*Solutions* and to include natural and depleted UF<sub>6</sub> in the authorized contents. Based on the statements and representations in the application, as supplemented, the staff concludes that the change does not affect the ability of the package to meet the requirements of 10 CFR Part 71.

Issued with Certificate of Compliance No. 9196, Revision No. 23,  
on November 7, 2008.