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Docket Operations
U.S. Department of Transportation
West Building, Ground Floor
Room W12-140, Routing Symbol M-30
1200 New Jersey Avenue, SE
Washington, DC 20590

Louisiana Energy Services, LLC
National Enrichment Facility
NRC Docket No. 70-3103

Subject: Proposed Rulemaking - Hazardous Materials: Risk-Based Adjustment of Transportation Security Plan Requirements

Reference: Pipeline and Hazardous Materials Safety Administration (PHMSA), DOT, Docket Number PHMSA-06-25885 (HM-232F)

In response to the subject proposed rulemaking, Louisiana Energy Services (LES) is pleased to provide the following comments:

PHMSA's proposed modifications to the current security plan requirements governing the commercial transportation of hazardous materials do not address any proposed changes to the transportation of uranium hexafluoride (UF_6). That is, the current version of 49 CFR 172.505(b) states "*....each transport vehicle, portable tank or freight container that contains 454 kg (1001 pounds) or more gross weight of fissile or low specific activity uranium hexafluoride shall be placarded with a CORROSIVE placard on each side and each end.*" Accordingly, based on the above placarding requirement, a transportation security plan is required for UF_6 shipments to comply with subpart I of 49 CFR Part 172 which applies to *"A shipment that requires placarding under subpart 172 of the HMR."*

Thus, a transportation security plan is currently required for shipments of 454 kg or more of UF_6 because of the associated requirement for a CORROSIVE placard. However, the corrosive designation of UF_6 derives from the (extremely corrosive) aqueous HF (hydrofluoric acid) product which results in the event the UF_6 is exposed to water.

Related calculations indicate that the potential amount of hydrofluoric acid that could result from the exposure of 454 kg of UF_6 to water is on the order of 100 liters. Conversely, the threshold quantity of Class 8 (corrosive materials) listed in the proposed revisions to the list of hazardous materials for which transportation security plans will be required is 3,000 liters (L) or more in a single packaging for Packing Group 1 (PG I)

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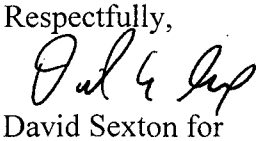
materials, which includes hydrofluoric acid – cf. 49 CFR 172.101, Hazardous Materials Table. Accordingly, it appears that the limits for Class 8 (corrosive) materials in the proposed rulemaking are in conflict with the bases on which the restrictions for UF_6 in 49 CFR 172.505(b) were derived.

In summary, LES recommends that PHMSA address the aforementioned disparity between the proposed rulemaking related to Class 8 (corrosive) materials and the requirements of 49 CFR 172.505(b) involving the transportation restrictions on UF_6. In this regard, LES proposes that PHMSA allocate a consignment Packing Group (i.e., PG I) for UF_6 that reflects its corrosive component (hydrofluoric acid) which, in turn, would establish the threshold quantity of UF_6 that results in the need for a transportation security plan.

Should you have any questions, please contact Mr. Stephen Cowne, Quality and Regulatory Affairs Director at 505-394-5253.

Respectfully,



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