

November 12, 2008

Mr. Barry L. Cole  
Manager, Licensing & Safety Analysis  
Babcock & Wilcox Nuclear Operations Group, Inc.  
P.O. Box 785  
Lynchburg, VA 24505-0785

SUBJECT: TRANSFER OF CERTIFICATE OF COMPLIANCE NO. 9281 FOR THE MODEL  
NO. UBE-2 PACKAGING

Dear Mr. Cole:

As requested by your letter dated May 30, 2008, enclosed is Certificate of Compliance No. 9281, Revision No. 6, for the Model No. UBE-2 packaging. Changes made to the enclosed certificate are indicated by vertical lines in the margin. The staff's Safety Evaluation Report is also enclosed.

Babcock & Wilcox Nuclear Operations Group, Inc., is registered as the certificate holder for this package. The 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 Pierre Saverot of my staff at (301) 492-3408.

Sincerely,

**/RA/**

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

Docket No. 71-9281  
TAC No. L24276

Enclosures: 1. Certificate of Compliance  
No. 9281, Rev. No. 6  
2. Safety Evaluation Report

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

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(Closes TAC No. L24276)

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## **SAFETY EVALUATION REPORT**

**Docket No. 71-9281**  
**Model No. UBE-2 Package**  
**Certificate of Compliance No. 9281**  
**Revision No. 6**

### **SUMMARY**

By letter dated May 30, 2008, BWX Technologies, Inc. (BWXT), Nuclear Operations Division, requested that Certificate of Compliance No. 9281 for the Model No. UBE-2 package be transferred to Babcock & Wilcox Nuclear Operations Group, Inc. BWXT, Nuclear Operations Division, did not request any changes to the design, operating procedures, acceptance tests, or maintenance program of the package. The Certificate has been revised.

### **EVALUATION**

BWXT, Nuclear Operations Division, requested transfer of Certificate of Compliance No. 9281 for the Model No. UBE-2 package by letter dated May 30, 2008. BWXT, Nuclear Operations Division, requested that the transfer be effective on the day of the SNM-42 license transfer. No changes in the package design, operating procedures, acceptance tests and maintenance program or contents of the package were requested. The staff reviewed the documents referenced in the Certificate of Compliance, Revision No. 5, and determined that the required documentation was available and complete. The staff also reviewed the July 24, 2008, "Quality Assurance Plan for the Shipping Program," Revision 17, and determined that the name of the company on the Quality Assurance Program Approval was changed to Babcock & Wilcox Nuclear Operations Group, Inc. The following revisions to the certificate have been made:

Item 3(a) was changed from BWX Technologies, Inc., Nuclear Products Division, to Babcock & Wilcox Nuclear Operations Group, Inc. Babcock & Wilcox Nuclear Operations Group, Inc., has accepted responsibility for the completeness and accuracy of the statements and the representations of the previous certificate holder, BWX Technologies, Inc. Babcock & Wilcox Nuclear Operations Group, Inc.'s authorized activities include: design, procurement, fabrication, assembly, testing, modification, maintenance, repair, and use of the package. Babcock & Wilcox Nuclear Operations Group, Inc., 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).

Condition No. 9 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 BWX Technologies, Inc., to Babcock & Wilcox Nuclear Operations Group, Inc. Based on the statements and representations in the application, 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. 9281, Revision No. 6,  
on November 12, 2008.

