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10CFR20

January 14, 2010
NRC-10-0002

Regional Administrator, Region III
U. S. Nuclear Regulatory Commission
2443 Warrenville Road, Suite 210
Lisle, Illinois 60532-4352

Reference: Enrico Fermi Atomic Power Plant, Unit No. 1
NRC Docket No. 50-16
NRC License No. DPR-9

Subject: **Waste Shipment Not Received Within Twenty Days**

This letter documents the investigation performed by the Fermi 1 staff for a shipment of radioactive waste, shipped via Canadian National Railroad on November 30, 2009, that was not received at the disposal facility within the time set forth in 10 CFR 20, Appendix G. The shipment (Detroit Edison Shipment EF1-09-033) consisted of seven (7) intermodal containers of LSA waste on one rail car. This shipment has since been received at the disposal site for which it was manifested.

In accordance with 10 CFR Part 20, Appendix G, Section III, when a licensee does not receive a notification or receipt that a Radwaste shipment has reached its disposal facility within 20 days after transfer, an investigation must be performed tracing the shipment, and a report of the investigation is to be submitted to the appropriate NRC Regional Office within two weeks of the completion of the investigation. The investigation began on December 21, 2009 when it was determined that the required notification was not received within the required 20 days.

The shipment was tracked by the transportation vendor by use of the car number through the railroad tracking system. Progress of the shipment was obtained by the Fermi 1 staff from the transportation vendor from the start of the investigation until the rail cars were delivered to the Energy Solution Clive Disposal Facility on December 29, 2009.

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Normal rail transit from Newport Michigan to Clive Utah has been approximately 20 days. EnergySolution Clive Disposal Facility is required by 10 CFR 20, Appendix G, to send a signed copy of manifest return receipt within 1 week of receipt of shipment.

The tracking and investigation of this shipment was completed on January 04, 2010 when Fermi 1 staff responsible for investigation received a signed copy of the NRC Manifest (NRC Form 540) showing acknowledgement of receipt. The investigation concluded the location of the rail car was properly tracked and transit time was more than 20 days due to routing.

Detroit Edison has submitted an exemption request (NRC-09-0073) to allow additional transit time when railroad transportation is used.

Should you have any questions or require additional information, please contact Lynne Goodman, of my staff, at (734) 586-1205.

Sincerely,



J. H. Plona

cc: NRC Project Manager
NRC Resident Office
P. Lee (NRC Region III)
Document Control Desk, Washington DC