March 15, 2010

Mr. Donald R. Krause
Manager, Regulatory Compliance & EHS
GE-Hitachi Nuclear Energy Americas, LLC
Vallecitos Nuclear Center
6705 Vallecitos Road
Sunol, California 94586

SUBJECT: REQUEST FOR ADDITIONAL INFORMATION FOR REVIEW OF THE MODEL NO. GE-100 PACKAGE LIMITED AUTHORIZATION

Dear Mr. Krause:

By application dated March 1, 2010, GE-Hitachi Nuclear Energy Americas, LLC (GEH), submitted a request to the U.S. Nuclear Regulatory Commission for limited authorization extending the use of the expired transportation package Model No. GE-100, Certificate of Compliance No. 5926. The application requests use of the package for twelve shipments of molybdenum-99, to be completed by June 30, 2011.

In connection with our review, we need the information identified in the enclosure to this letter. To assist us in scheduling staff review of your response, we request that you provide this information by April 15, 2010. If you are unable to provide a response by that date, our review may be delayed. To assist us in re-scheduling your review, you should include a new proposed submittal date and the reasons for the delay.

Please reference Docket No. 71-5926 and TAC No. L24426 in future correspondence related to this request. The staff is available to meet to discuss your proposed responses. If you have any questions regarding this matter, I may be contacted at (301) 492-3292.

Sincerely,

/RA/

Michele M. Sampson, Sr. Project Manager
Licensing Branch
Division of Spent Fuel Storage and Transportation
Office of Nuclear Material Safety
and Safeguards

Docket No. 71-5926
TAC No. L24426

Enclosure: Request for Additional Information

cc w/encl: E. Redmond, NEI

Mr. Donald R. Krause
Manager, Regulatory Compliance & EHS
GE-Hitachi Nuclear Energy Americas, LLC
Vallecitos Nuclear Center
6705 Vallecitos Road
Sunol, California 94586

SUBJECT: REQUEST FOR ADDITIONAL INFORMATION FOR REVIEW OF THE MODEL NO. GE-100 PACKAGE LIMITED AUTHORIZATION

Dear Mr. Krause:

By application dated March 1, 2010, GE-Hitachi Nuclear Energy Americas, LLC (GEH), submitted a request to the U.S. Nuclear Regulatory Commission for limited authorization extending the use of the expired transportation package Model No. GE-100, Certificate of Compliance No. 5926. The application requests use of the package for twelve shipments of molybdenum-99, to be completed by June 30, 2011.

In connection with our review, we need the information identified in the enclosure to this letter. To assist us in scheduling staff review of your response, we request that you provide this information by April 15, 2010. If you are unable to provide a response by that date, our review may be delayed. To assist us in re-scheduling your review, you should include a new proposed submittal date and the reasons for the delay.

Please reference Docket No. 71-5926 and TAC No. L24426 in future correspondence related to this request. The staff is available to meet to discuss your proposed responses. If you have any questions regarding this matter, I may be contacted at (301) 492-3292.

Sincerely,

/RA/

Michele M. Sampson, Sr. Project Manager
Licensing Branch
Division of Spent Fuel Storage and Transportation
Office of Nuclear Material Safety
and Safeguards

Docket No. 71-5926
TAC No. L24426

Enclosure: Request for Additional Information

cc w/encl: E. Redmond, NEI

Distribution:

G:\SFST\Sampson\GEH RAI Ltr.doc **ADAMS Accession No.: ML100760068**

OFC:	SFST	E	SFST		SFST		SFST		SFST		SFST	
NAME:	MSampson		MDeBose		EBenner							
DATE:	03/12/2010		3/12/2010		3/15/2010		/ /		/ /		/ /	

C = COVER E = COVER & ENCLOSURE N = NO COPY OFFICIAL RECORD COPY

Request for Additional Information
GE-Hitachi Nuclear Energy Americas, LLC
Docket No. 71-5926
Certificate of Compliance No. 5926
Model No. GE-100

By application dated March 1, 2010, GE-Hitachi Nuclear Energy Americas, LLC (GEH or the applicant), submitted a request to the U.S. Nuclear Regulatory Commission for limited authorization extending the use of the expired transportation package Model No. GE-100, Certificate of Compliance (CoC) No. 5926. The application requests use of the package for twelve shipments of molybdenum-99, to be completed by June 30, 2011.

Each individual RAI describes information needed by the staff for it to complete its review of the application and to determine whether the applicant has demonstrated compliance with the regulatory requirements of 10 Code of Federal Regulations Part 71 (10 CFR Part 71). The NRC Regulatory Issue Summary 2008-18, "Information on Requests for Extending Use of Expiring Transportation Packages" (RIS 2008-18) was used by the staff in its review of the application.

RAI-1 Provide a detailed description of the proposed molybdenum-99 contents.

The application identifies the radionuclide, but does not provide sufficient information for staff to confirm that the proposed contents are within the contents authorized by CoC No. 5926. The application should include details such as the maximum activity, the chemical and physical form, maximum weight, and decay heat.

This information is required to assess compliance with 10 CFR 71.33.

RAI-2 Confirm that GEH will be the shipper for each of the requested twelve shipments.

Currently, the application requests twelve shipments, with multiple origin and destination points. GEH must specify that they will be the shipper for each shipment requested in this application. If an entity other than GEH will make any of the shipments associated with this application, those should be removed from this application and a separate application should be developed. Only the addressee of the limited authorization letter may use the approval to make shipments.

This information is required to assess compliance with 10 CFR 71.31.

RAI-3 Revise the justification for continued use of the package to address all potential Reasons for Requesting Extended Use.

The only justification provided in the application, "Reason(s) for Requesting Additional Extended Use," is that GEH will not be able to deliver on customer deliverables, resulting in significant costs and program delays. Additionally, there is a reference to the justification for SNM shipments previously provided by the GEH application dated September 29, 2008. This application is for transport of molybdenum-99, not SNM.

The application should address the availability of alternative domestically approved packaging, and the potential for the contents to be reconfigured such that transport can

be conducted in accordance with the regulations (to include reducing normal form contents to Type A quantity), RIS 2008-18, Requested Information Items 3(a) and (b). The application should also describe why the transport schedule cannot be delayed until

a package meeting the regulations is available for use, RIS 2008-18, Requested Information Item 3(c). The application should detail any adverse impacts that will result if the shipment is not conducted as requested.

This information is required to assess compliance with 10 CFR 71.31.

RAI-4 Provide the details of the plan and schedule to acquire replacement packages.

The applicant must provide the details of the plan and schedule to develop a replacement package for molybdenum-99 contents. The limited authorization is not intended to allow business-as-usual in expired packaging. Staff must have reasonable assurance that the applicant is making progress toward use of a packaging which meets the regulatory requirements. As identified in RIS 2008-18, the plan and schedule to acquire replacement packages should include key milestones and proposed implementation dates. The referenced “AOS” package is currently under review for special form contents only. The applicant should provide more detail regarding their schedule to develop and submit an application or amendment request.

This information is required to assess compliance with 10 CFR 71.31.