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RECORD #165

TITLE: Two Recent DOT Interpretations (49 CFR 173.395 (a) (1) and
173.391 (c) (4))

FICHE: 65211-178

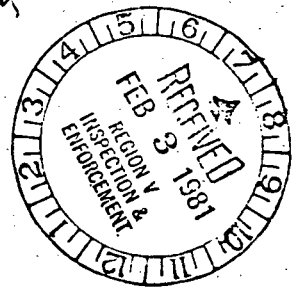
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UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D. C. 20555

JAN 29 1981

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MEMORANDUM FOR: G. H. Smith, Chief, FFMS Branch, Region I
J. P. Stohr, Chief, FFMS Branch, Region II
W. Fisher, Chief, FFMS Branch, Region III
G. D. Brown, Chief, FFMS Branch, Region IV
H. E. Book, Chief, FFMS Branch, Region V

FROM: A. W. Grella, Acting Chief, Fuel Cycle and Materials
Safety Section, RSB, IE

SUBJECT: TWO RECENT DOT INTERPRETATIONS (49 CFR 173.395(a)(1) AND
173.391(c)(a))

Enclosed for your information are two recent (undated) interpretations issued by DOT. The one regarding special form certifications is especially pertinent to our inspection programs. (Refer to Sections II-2b.(3) and III-2(b)(3) of Module 86740B, April 1, 1980)

A. W. Grella
Acting Chief
Fuel Cycle and Materials Safety Section

Enclosures:
As stated

cc: D. R. Hopkins, SD
C.E. MacDonald, NMSS
J. Lubenau, SP



DEPARTMENT OF TRANSPORTATION
RESEARCH AND SPECIAL PROGRAMS ADMINISTRATION
WASHINGTON, D.C. 20590

REFER TO:

Mr. John J. Munro
Tech/Ops
40 North Avenue
Burlington, Massachusetts 01803

Dear Mr. Munro:

This is in response to your letter of December 29, 1980 concerning the necessary certification of special form radioactive materials.

I agree that International Atomic Energy Agency (IAEA) Certificates of Competent Authority issued by this office for special form materials are adequate certification to meet the requirements of 49CFR 173.398(a), Note 1. Consequently, a shipper may use a currently valid certificate issued by us in lieu of a "complete certification and supporting safety analysis". Since the required documentation will have been supplied to DOT and approved, there is no need for this detailed information to be distributed to each shipper for filing purposes.

However, we will require that any DOT issued certificates which are used in this manner be current and valid. Since the certificates expire and are revised periodically, the shipper must have a current certificate.

Sincerely,

A handwritten signature in cursive script, appearing to read "R. Rawl", is positioned below the word "Sincerely,".

Richard R. Rawl
Chief, Radioactive Materials Branch
Office of Hazardous Materials Regulations
Materials Transportation Bureau



DEPARTMENT OF TRANSPORTATION
RESEARCH AND SPECIAL PROGRAMS ADMINISTRATION
WASHINGTON, D.C. 20590

REFER TO:

Mr. Robert F. Boggio
Traffic Manager
Lockheed - California Company
Burbank, CA -91520

Dear Mr. Boggio:

In response to your letter of November 11, 1980 to Mr. Boyle of the FAA, there are a variety of configurations which will meet the "metallic sheath" requirements of 49CFR 173.391 (c) (4).

The technique you inquired about, the use of securely sealed metal cans will also satisfy this requirement. The intent of the regulation is to prevent the spreading or loss of the oxide surface layer which forms on uranium metal. Securely sealed cans will certainly perform this function.

Sincerely,

A handwritten signature in cursive script, which appears to read "R. Rawl", is positioned above the typed name.

Richard R. Rawl
Chief, Radioactive Materials Branch
Office of Hazardous Materials Regulation
Materials Transportation Bureau