



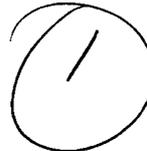
NUCLEAR ENERGY INSTITUTE

1/28/2011
76 FR 5215

Ellen P. Anderson
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RADIATION SAFETY & ENVIRONMENTAL PROTECTION
NUCLEAR GENERATION DIVISION

March 14, 2011

Ms. Cindy K. Bladey
Chief, Rules, Announcements and Directives Branch
Office of Administration
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001



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RULES AND DIRECTIVES
MAR 14 2011

Subject: Industry Comments on Draft Regulatory Guide, DG-7007, "Administrative Guide for Verifying Compliance with Packaging Requirements for Shipment and Receipt of Radioactive Material," Docket ID NRC-2011-0025

Project Number: 689

Dear Ms. Bladey:

On January 28, 2011, the U.S. Nuclear Regulatory Commission (NRC) issued a *Federal Register* Notice (76 FR 5215) soliciting public comment on draft regulatory guide DG-7007, "Administrative Guide for Verifying Compliance with Packaging Requirements for Shipment and Receipt of Radioactive Material." DG-7007 describes an approach that the NRC staff considers acceptable for meeting the administrative requirements associated with shipment and receipt of radioactive material in Title 10 of the *Code of Federal Regulations*, Part 71 "Packaging and Transportation of Radioactive Material" and 10 CFR Part 20, "Standards for Protection Against Radiation."

Enclosed are comments provided by the Nuclear Energy Institute (NEI)¹ on behalf of the nuclear energy industry on the subject draft regulatory guide. In general, we believe that this revision to this Regulatory Guide is an improvement over the single-page document referencing ANSI N14.10.3 - 1975, published in 1977, as it provides specific guidance and attributes of a program for verifying compliance with packaging requirements for shipment and receipt of radioactive material.

¹NEI is the organization responsible for establishing unified nuclear industry policy on matters affecting the nuclear energy industry, including the regulatory aspects of generic operational and technical issues. NEI's members include all utilities licensed to operate commercial nuclear power plants in the United States, nuclear plant designers, major architect/engineering firms, fuel fabrication facilities, materials licensees, and other organizations and individuals involved in the nuclear energy industry.

SONSI Review Complete

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Ms. Cindy K. Bladey

March 14, 2011

Page 2

Thank you for the opportunity to comment on the document, and we look forward to reviewing the final version. If you have any questions concerning these comments, please contact me at 202-739-8043; exa@nei.org.

Sincerely,

A handwritten signature in cursive script that reads "Ellen P. Anderson". The signature is written in black ink and is positioned below the word "Sincerely,".

Ellen P. Anderson

Enclosure

Industry Comments to DG-7007

	Issue	Citation	Comment
1.	Clarification on requirements for package Type	Throughout document	Overall, most of this document seems to focus on Type B and fissile material packaging. Although Type A packaging is mentioned early in the document, several of the sections present guidance for requirements that apply to Type B and Type A shipping containers or packages. Clarification needs to be given by explicitly stating the type of package to which the requirement applies.
2.	Editorial	Page 4 Section 2.1, paragraph c	There is a typo in the last sentence. "NCR" should be "NRC".
3.	Licensees' responsibility for package design, testing and documentation	Page 4 Section 2.1.1 First paragraph	Licensees, that are not the certificate holders, are not typically provided full package design drawings, documents, testing and safety basis information as this is proprietary information of the certificate holder. Licensees cannot effectively determine if the package is built according to the detailed design requirements and drawings, other than what is provided in Chapters 7 and 8 of the Safety Analysis Report for Packaging (SARP) as stated in the certificate. The scope of licensees' responsibility, unless the licensee is the certificate holder, should be limited to the information provided in the certificate, and for registrants to meet the conditions of the package and package SARP.

	Issue	Citation	Comment
4.	Additional guidance on grid size	Page 4 Section 2.1.1 Second paragraph	Guidance is given for portioning the surface into a grid pattern. Further guidance on establishing the size of the grid should be given.
5.	Editorial	Page 15 Reference number 3	NRC Regulatory Guide 7.4 is titled "Leakage Tests on Packages for Shipment of Radioactive Materials." Reference 3 of this document incorrectly cites this as Regulatory Guide 7.3.
6.	Clarification on package Type	Page 5 Section 2.1.4	This section needs to explicitly state the type of packaging to which it is applicable (such as Type B).
7.	Redundant requirement	Page 8 Section 3.0 Fourth paragraph	This paragraph is redundant since leakage testing is addressed in Section 2.1.5, <i>Leakage Test</i> .
8.	Certificate holder requirements	Page 13 Section 5.3 Item C	This step should be completed by the certificate holder so that the user will know what to include.