

# ENERGYSOLUTIONS

March 30, 2011

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

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RULES AND DIRECTIVES  
BRANCH  
US NRC

**Subject: Comment on Draft Regulatory Guide DG-7007, Administrative Guide for Verifying Compliance with Packaging Requirements for Shipping and Receiving of Radioactive Material, January 2011**

Thank you for the opportunity to comment on Draft Regulatory Guide DG-7007, Administrative Guide for Verifying Compliance with Packaging Requirements for Shipping and Receiving of Radioactive Material, January 2011. Each comment is prefaced by the applicable section number within DG-7007.

2.0: Suggested edits are provided in redline/strikeout below:

"Based on the contents, the shipper should select an approved packaging (typically the package's certificate of compliance) that authorizes the quantity and form of material to be shipped as typically specified in the CoC. Note that for Type A packages there is no package authorization. If there is not a package authorization for the contents to be shipped, and if required for the contents, e.g., Type B quantity, then the licensee should choose a package authorizing similar contents and, if the licensee is not the certificate holder, request the certificate holder to obtain an amendment from the NRC for the contents to be transported. Finally, if this has not already been done, the shipper must register as a user of the package pursuant to the conditions of the general license for NRC-approved packages in 10 CFR 71.17. Note that the general license for use of an approved package applies only to licensees who have an NRC approved QA program, a copy of the CoC and documents referenced in the approval relating to the use and maintenance of the packaging, and comply with the terms and conditions of the license."

2.1: "10 CFR 71.85 requires 3 preliminary determinations that *should* be included in package acceptance tests (section 8 of application for approval). Most certificates of compliance reference acceptance tests in section 8 of the application, which, in effect, makes them a requirement..." [emphasis added]. This text is confusing as to what is really required, and may be clearer with the quoted section of the second sentence simply deleted.

2.1.c: There is a typographical error in last sentence; i.e., "NCR" should be "NRC".

2.1.6.b: This section refers to Chapter 8 of a transportation application. Please clarify if is the same as Section 8 referred to in section 2.1 of DG-7007 and if not, what the reference is to.

SUNSI Review Complete  
Template = ADM-013

E-RIDS = ADM-03

Odd = M. Orr (mp01)  
M. Orr (mjc)

B. White (bhw)

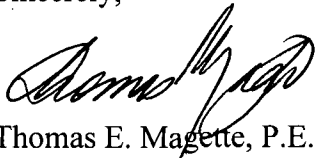
2.2: EnergySolutions has been supplying cask services to the nuclear industry for over thirty years. Type B casks and select Type A casks are in limited supply, which increases the burden on all users to properly manage not just the contents, but the casks themselves. Recently, improper opening of a cask resulted in bolt hole thread damage to one cask, and misuse over time resulted in bolt hole thread wear to another cask. The damaged required these two casks to be taken out-of-service for an extended period of time for major costly repair, which further restricted supply and required even longer preplanning efforts by users.

It is EnergySolutions view that these types of errors can be prevented if cask users have an appropriately approved quality assurance program. Although having a QA program, in and of itself, will not prevent damage due to misuse, it will mitigate the risk by having third party oversight to check that the correct, up-to-date cask handling procedures are being referenced and followed properly. Accordingly, we propose that this section include a reference to and discussion of QA program requirements applicable to shippers, in accordance with 10 CFR 71.101.

4.0: For the reasons cited above, we propose that this section address QA program requirements applicable to package receivers. Also, the second sentence ends with a comma instead of a period, and appears to be an incomplete sentence missing reference to 49 CFR 173 for contamination controls.

If you have questions regarding these comments, you may reach me at (240) 565-6148 or [temagette@energysolutions.com](mailto:temagette@energysolutions.com).

Sincerely,



Thomas E. Magette, P.E.  
Senior Vice President  
Nuclear Regulatory Strategy