

July 19, 2012

Mr. Ralph Butler
Director, University of Missouri
Research Reactor
1513 Research Park Drive
Columbia, MO 65211

SUBJECT: APPLICATION FOR RENEWAL OF AUTHORIZATION TO SHIP LIMITED TYPE B
QUANTITIES IN DEPARTMENT OF TRANSPORTATION SPECIFICATION
20WC-1 AND 6M PACKAGES – REQUEST FOR INFORMATION

Dear Mr. Butler:

The purpose of this letter is to provide feedback on your request, dated June 6, 2012, for renewal of authorization to ship limited quantities of Type B material in Department of Transportation (DOT) Specification 20WC-1 and 6M packages until August 31, 2014. As a background to your request, on January 26, 2004, NRC published a final rule in the *Federal Register* (69 FR 3698), amending its Part 71 regulations to make them compatible with the International Atomic Energy Agency regulations. This rulemaking was coordinated with the DOT, and implemented a planned 4 year phase-out, through grandfathering provisions, of some Type B and fissile material transportation packages. The phase-out was to be completed by October 1, 2008.

On August 14, 2008, the NRC issued Regulatory Issue Summary (RIS) 2008-18, "Information on Requests for Extending Use of Expiring Transport Packages," to clarify a regulatory method for extending the phase-out plans for limited circumstances. The RIS lists specific information that should be received, including (1) package information, (2) identification of shipments, (3) reasons for requesting extended use, (4) safety justification for continued use and proposed compensatory measures, and (5) a plan and schedule to acquire replacement packages. The RIS also provides criteria for demonstrating the need for a request for extension, including *"there are no alternative domestically approved package available, the contents cannot be reconfigured such that transport can be conducted in accordance with the regulations, and the transport schedule cannot be adjusted so as to be conducted in accordance with the regulations."* In our letter dated May 19, 2009, staff reminded you that the authorization you received on September 29, 2008, for continued limited shipments was a "temporary measure," intended only to bridge the gap between the expiration of older packages and the availability of a new replacement package.

A public meeting was held on July 11, 2012, between University of Missouri Research Reactor (MURR) representatives and NRC staff. At the July 11, 2012, public meeting, MURR representatives explained that the replacement package for the DOT Specification 6M package is the SAFKEG LS, designated as Model No. 3979A (Docket No. 71-9337), for which a Certificate of Compliance was issued January 24, 2011. MURR also indicated the replacement package for the DOT Specification 20WC-1 package is the SAFKEG HS, designated as Model No. 3977A (Docket No. 71-9338), for which an application has not been submitted.

Because more than 8 years have passed to obtain replacement packages and complete a phase-out of the DOT Specification 20WC-1 and 6M packages, staff will closely evaluate any request for renewal of authorization to ship limited quantities of Type B material in DOT Specification 20WC-1 and 6M packages beyond August 31, 2012. Staff will consider, in part, the interest of material licensees with respect to National Security, medical therapies, source recovery, and other important needs beyond August 31, 2012. In connection with the staff's detailed review of your request, we need the information identified in the enclosure to this letter. The staff requests the information specified in "Reasons for Requesting Extended Use" in RIS 2008-18, which is reiterated above, to be provided under oath and affirmation. Recipient material licensees should also justify in separate correspondence the need for shipments after August 31, 2012.

If you have any questions regarding this matter, please contact William Allen of my staff at (301) 492-3148.

Sincerely,

/RA/ B. H. White for

Michael D. Waters, Chief
Licensing Branch
Division of Spent Fuel Storage and Transportation
Office of Nuclear Material Safety
and Safeguards

Docket Nos. 71-9337, 71-9338, 71-9343
TAC No. L24657

Enclosure: Request for Additional Information

cc: R. Boyle, Department of Transportation

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Regarding an Extension for Authorization to Ship Limited Quantities
of Type B Material in DOT Specification 20WC-1 and 6M packages

By letter dated June 6, 2012, University of Missouri Research Reactor requested an extension to ship limited quantities of Type B materials in DOT Specification 20WC-1 and 6M packages from August 31, 2012, to August 31, 2014.

This request for additional information identifies information needed by the staff in connection with its review of your request.

1. Provide the information specified by RIS 2008-18 related to (a) package information, (b) identification of shipments, (c) reasons for requesting extended use, (d) safety justification for continued use and proposed compensatory measures, and (e) a plan and schedule to acquire replacement packages.
2. Provide under oath and affirmation the information specified in "Reasons for Requesting Extended Use" in RIS 2008-18; i.e., "there are no alternative domestically approved package available, the contents cannot be reconfigured such that transport can be conducted in accordance with the regulations, and the transport schedule cannot be adjusted so as to be conducted in accordance with the regulations." Provide this information for both DOT Specification 6M package and DOT Specification package 20WC-1, and emphasize those reasons that make the DOT Specification 6M package necessary after SAFKEG LS (Model No. 3979A) becomes operational in December 2012.
3. Identify the number of shipments per month, and the isotope(s) to be shipped, beyond August 31, 2012, which are needed to ensure public health and safety, National Security, medical therapies provided, and/or other crucial needs to material licensees on the plan and schedule requested in 1(e) above; i.e, identify both the number of shipments and the isotopes shipped relative to the schedule for bringing the SAFKEG-LS into operation and submitting an application for the SAFKEG-HS.
4. Provide letters of confirmation from the end-users, (i.e., recipient material licensees,) of the DOT Specification 20WC-1 and 6M packages to support the justification of any shipments needed beyond August 31, 2012. The letter should also further explain the specific impacts if a planned shipment after August 31, 2012 is not approved by the NRC.

Enclosure