



**CERTIFIED MAIL  
RETURN RECEIPT REQUESTED**

RDM-09-005

January 23, 2009

Spent Fuel Project Office  
Office of Nuclear Material Safety and Safeguards  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555-0001

Attention: E. W. Brach, Director  
Spent Fuel Project Office

Subject: Request for Renewal of Certificate of Compliance No. 71-9289 for the Model No. WE-1 Package

Dear Mr. Brach:

Per the provisions of 10 CFR 71.38, AREVA NP Inc, an AREVA and Siemens Company, formally requests a renewal of Certificate of Compliance No. 71-9289 for the Model No. WE-1 package. The expiration date of the current certificate (Revision 3) is February 28, 2009. The current package configuration is designated USA/9289/B(U)F-85.

AREVA requests that the Certificate of Compliance for the WE-1 package be renewed for an additional 5-year period. In accordance with 10 CFR 71.19(c), the WE-1 package was originally approved (Revision 0 to the Certificate of Compliance) by the NRC on February 26, 1999 and all packages currently used by AREVA were fabricated prior to December 31, 2006. This provision allows continued use of the package with no new fabrication. The package design has not changed since the previous 5-year renewal and there have been no adverse events reported since the previous renewal.

A consolidated license application is not forthcoming since the WE-1 license documentation available in the NRC Adams system is current with incorporation of previous amendments dated November 12, 2002 and January 8, 2004. Note that AREVA is negotiating with the DOE to take ownership of the license and package. AREVA further recommends that any NRC requests for additional information (RAI) be deferred until after the transfer of license and package ownership. If such deferral is not possible, then AREVA requests that a three (3) month extension be granted to the current certificate of compliance to afford additional time to complete the transfer of ownership.

If you or your staff have any questions, require additional information, or wish to discuss this further, please contact me at 434-832-5172. Please reference our unique document identification number in any correspondence concerning this letter.

Sincerely,

A handwritten signature in black ink, reading 'Richard D. Montgomery', followed by a vertical red line.

Richard D. Montgomery, Advisory Engineer  
Nuclear Criticality Safety & Shipping Containers

**AREVA NP INC.**  
An AREVA and Siemens company

3315 Old Forest Road, P.O. Box 10935, Lynchburg, VA 24506-0935  
Tel.: (434) 832-3000 - Fax: (434) 832-3840

FORM: 22709VA-1 (4/1/2006)

Cc:

Pierre Saverot, Project Manager  
Licensing Branch  
Division of Spent Fuel Storage and Transportation  
Office of Nuclear Material Safety and Safeguards  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555-0001

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