

10 CFR 71.95 REPORT EVALUATION FORM

Docket No.: 71-9239

Package Model Nos.: MCC-3, MCC-4, and MCC-5

Report Submitted By: Matthew R. Presson, Westinghouse Electric Company, LLC

Report Dates: May 10, 2013

Report ADAMS Accession Nos.: ML13130A281

Review the incoming report to determine if additional Commission or staff action is warranted. The review should consider whether the report identifies a generic defect or problem with the package design and the safety significance of the issue. Note that a high safety significance represents a potential for significant radiation exposure, medium safety significance represents a potential for some moderate radiation exposure, and low safety significance represents little or no potential for radiation exposure.

1. The report identifies:

- Significant reduction in the effectiveness of a package during use;
- Defect with a safety significance;
- Shipment in which conditions of the approval were not observed.

2. What is the safety significance? High Medium Low

3. Summary of the report:

By letter dated May 10, 2013, Westinghouse Electric Company, LLC (WEC or "the user") informed the United States Nuclear Regulatory Commission (NRC) that the Model Nos. MCC-3, MCC-4, and MCC-5 packages (MCC packages) were not refurbished in accordance with the safety analysis report referenced in the applicable certificate of compliance (CoC). (These packages are used for transporting low enriched fuel assemblies from WEC to other authorized locations.) From March 2010 through March 2013, MCC packages were repainted using a new powder coating process (as decided in 2009, but not incorporated into Section 7.3 of the safety analysis report for the MCC packages). Section 7.3.3 of the safety analysis report (Agencywide Documents Access and Management System (ADAMS) Accession No. ML11335A176, October 28, 2011) referenced in the applicable certificate of compliance (CoC) No. 9239 (ADAMS Accession No. ML12047A086) at the time of this incident stated the following:

"Paint repaired and damaged paint areas on the container with Dupont Imron paint."

The new coating process did not use Dupont Imron. The shipments of The MCC packages coated using the new procedure were stopped once this non-compliance was identified. Per WEC's letter dated May 10, 2013, WEC captured this incident in its corrective action program and stated in its communication that "[T]here were no safety consequences from this non-compliance."

On March 28, 2013, the certificate holder requested licensing action related to CoC No. 9239 (ADAMS Accession No. ML13088A032) to revise the following:

- Chapter 7 – To redefine the "surface coatings" for refurbishing the package, and
- Chapter 8 – To clarify repairs of weldment patch plate.

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3. Summary of the report (Continue):

The certificate holder revised Section 7.3.3 of the SAR (the application) as follows:

“Surface coating refurbishment or replacement shall consist of engineering approved surface coatings including, but not limited to, paint or powder coat.”

The staff evaluated the changes submitted by the certificate holder in March 2013 and found these acceptable (ADAMS Package Accession No. ML13106A332). The staff did not perform a detailed evaluation related to this report filed pursuant 10 CFR 71.95 based on:

1. the information provided in letter dated May 10, 2013, and
2. the evaluation performed by the staff related to the change of the coating material.

4. Corrective actions taken by the licensee:

The affected shipments were stopped once this non-compliance was identified. Per WEC's letter dated May 10, 2013, WEC captured this incident in its corrective action program (Issues Nos.13-073-M029 and 13-073-M088) and stated in its communication that “[T]here were no safety consequences from this non-compliance.” Also, the certificate holder submitted a revision to CoC No. 9239 on March 28, 2013, which the staff reviewed and found acceptable.

5. Staff comments:

None.

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6. Staff conclusion:

- The report does NOT identify generic design or license/certificate issues that warrant additional Commission or staff action. This report is considered closed.
- There is a need to take additional action. Provide a summary of the bases and recommended actions:

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