

Regulatory Guide Periodic Review

Regulatory Guide Number: 7.9, Revision 2

Title: Standard Format and Content of Part 71 Applications for Approval of Packages for Radioactive Material

Office/Division/Branch: NMSS/DSFM/SFLB

Technical Lead: Bernard White

Recommended Staff Action: Reviewed with issues identified for future consideration

1. What are the known technical or regulatory issues with the current version of the Regulatory Guide (RG)?

RG 7.9 was published in March 2005 to provide guidance for preparing applications for approval of Type B and fissile material transportation packages to comply with the agency's regulations in Title 10, Part 71, of the *Code of Federal Regulations* (10 CFR Part 71), "Packaging and Transportation of Radioactive Material."

The staff's review guidance in NUREG-1609, "Standard Review Plan for Transportation Packages for Radioactive Material" and NUREG-1617, "Standard Review Plan for Transportation Packages for Spent Nuclear Fuel" (ADAMS Accession No. ML003696262) are publicly available. These NUREGs are used by the NRC staff to review applications.

The staff is in process of revising the two NUREGs by adding significant guidance for high burnup fuel. Upon completion of this guidance the staff will revise RG 7.9 to include this information. The staff has also added in the NUREGs a chapter for the materials that should be included in the next revision of the guide. Finally, the staff is in the process of combining the two transportation NUREGs (NUREG-1609 and NUREG-1617) into a single document which is expected to be completed by the end of CY 2018.

2. What is the impact on internal and external stakeholders of not updating the RG for the known issues, in terms of anticipated numbers of licensing and inspection activities over the next several years?

The staff receives about 35 applications per year. About 80 percent of the information in the guide is applicable to these applications. The information required to obtain a certificate of compliance for transport of high burnup spent fuel will be included in the guide when it gets revised after the two NUREGs (NUREG-1609 and NUREG-1617) are combined. In the interim, applicants and licensees can use the guidance in these NUREGs for the transport of high burnup spent fuels since the guidance explains how the staff is to review applications for transport certificates of compliance. Applicants can infer from this staff guidance the kinds of information and analyses they need to include in their applications.

There will be some inefficiencies in licensing and inspection activities until the guide is revised since only 80 percent of the information in this guide can be used by the staff.

3. What is an estimate of the level of effort needed to address identified issues in terms of FTE and contractor resources?

An estimate of the effort needed to correct the identified issues is about 0.10 full-time equivalent (FTE) to 0.20 FTE.

4. Based on the answers to the questions above, what is the staff action for this RG (Reviewed with no issues identified, Reviewed with issues identified for future consideration, Revise, or Withdraw)?

Reviewed with issues identified for future consideration.

5. Provide a conceptual plan and timeframe to address the issues identified during the review.

As discussed in Management Directive (MD) 6.6, "Regulatory Guides," the NRC staff periodically reviews RGs to ensure that these guides continue to provide useful guidance. The staff will consider the issues identified for future consideration during this review, and after NUREG-1609 and NUREG-1617 are combined.

NOTE: This review was conducted in July 2016 and reflects the staff's plans as of that date. These plans are tentative and subject to change.