

May 23, 2018

ES 2018-005

Ms. Torre Taylor
Project Manager for OIG Audit Recommendations
Division of Spent Fuel Management
Office of Nuclear Material Safety and Safeguards
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Subject: EnergySolutions LLC Comments on NRC Efforts to Address “Audit of NRC’s Oversight for Issuing Certificates of Compliance for Radioactive Material Packages”; OIG-17-A-21

References: 1) Audit of NRC’s Oversight for Issuing Certificates of Compliance for Radioactive Material Packages” (OIG-17-A-21) issued on August 16, 2017
 2) Public meeting on April 26, 2018 to Discuss the Office of the Inspector General’s Recommendation Related to the Technical Basis for the 10 CFR Part 71 Certificates of Compliance Expiration Term (Report number OIG-17-A-21, August 17, 2017)

Dear Ms. Taylor:

On August 16, 2017, the U.S. Nuclear Regulatory Commission (NRC) Office of the Inspector General (OIG) issued the “Audit of NRC’s Oversight for Issuing Certificates of Compliance for Radioactive Material Packages” (OIG-17-A-21). The audit was performed to determine if NRC’s processes for issuing certificates of compliance and review of 10 CFR Part 72.48 changes provide adequate protection of public health, safety and the environment.

EnergySolutions LLC is a certificate holder of several low level waste type B packages regulated under 10 CFR 71 which are licensed/used in the U.S. and internationally. Hundreds of shipments are made safely in EnergySolutions Type B packages by our customers (end users) every year. EnergySolutions LLC attended a public meeting on this issue on April 26, 2018 and appreciated the opportunity to provide its perspectives and comments as the NRC develops the regulatory and technical basis for the term length of the transportation package certificates of compliance.

We believe that safety during transportation of the payloads remains a first priority during consideration of the CoC term duration. The industry has shown a solid safety record associated with successful shipments of nuclear waste packages worldwide. EnergySolutions LLC provides packages for shipment of various waste streams from commercial nuclear power plants, medical facilities and legacy waste clean-up sites. Based on our operational experience, we believe extension of the CoC term duration from 5 to 10 years will reduce workload on the end users associated with additional licensing reviews, review/modification of operating procedures, and training requirements which are required when the CoC revision is changed (even if no physical

changes are incorporated in the applicable SAR's). Treating this item from a risk-informed and risk-appropriate perspective will allow the NRC staff to concentrate on significant safety challenges while the proposed CoC period extension will not create any adverse effect on shipment safety.

EnergySolutions LLC is pleased to work with the NRC and other stakeholders on this proposed change which will benefit the industry. We also support and endorse the NEI position expressed at the meeting on April 26, 2018 and the NEI follow up correspondence associated with the CoC term duration.

Please contact me at (860) 462-9707 if you have any questions or require any additional information.

Sincerely,

A handwritten signature in cursive script, reading "Gerard van Noordennen".

Gerard van Noordennen
Vice President Regulatory Affairs

cc: Mr. Mark Richter (NEI)
Mr. Aleksandr Gelfond (EnergySolutions LLC)