PDR

UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D. C. 20555

FEB 26 1979

FCTR.RHO
71-6400

The Babcock & Wilcox Company
ATTN: Mr. Michael A. Austin
609 North Warren Avenue
Apollo, PA 15613

Gentlemen:

This is in regard to your application dated December 27, 1978 concerning the shipment of low levels of plutonium bearing wastes in the Model No. Super Tiger packaging.

As noted in your December 27 letter, Revision No. 4 to the Certificate of Compliance (No. 6400) for the Super Tiger was issued to be consistent with the requirements of 10 CFR §71.42. We do not understand the basis for your statement that we either misinterpreted or based our judgement of the capabilities of the Super Tiger packaging upon an arbitrary assessment.

For your information, we are enclosing the Statement of Consideration (39 FR 20960) concerning 10 CFR §71.42 and the double containment requirement for plutonium that is in a respirable form. The Commission concluded that the second (inner) barrier should maintain its integrity after the package was subjected to the normal and accident test conditions of transport. We also note that the test results reported for the Super Tiger (second reference listed on Certificate of Compliance) indicate that the inner 55-gal steel drums do not maintain their integrity when the package was subjected to the 30-foot free drop. In connection with our review of your application, information should be provided which demonstrates that the plutonium is in a "nonrespirable" form or that the inner containers will maintain their integrity following the accident test conditions of transport.

7903140589

Please advise us within thirty (30) days from the date of this letter when this information will be provided. If you have any questions regarding this matter, we will be pleased to meet with you and your staff.

Sincerely,

Charles E. MacDonald, Chief
Transportation Branch
Division of Fuel Cycle and
Material Safety

Enclosure: As Stated