

OCT 24 1989

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71-5461

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Mr. James F. Leonard, Acting Chief
Packaging Certification Staff, DP-4.1
Office of Security Evaluations
Defense Programs
U.S. Department of Energy
Washington, DC 20545

Dear Mr. Leonard:

In response to your application dated August 1, 1989, informing us of safety concerns related to certification of the Model No. ORNL TRU Curium shipping container as a Type B() package, we have terminated NRC Certificate of Compliance No. 5461. Accordingly, the use of this package under the General License provisions of 10 CFR §71.12 and 49 CFR 173.471 is no longer authorized.

A revised certificate designating the ORNL TRU Curium shipping container as a Type AF package was not issued because the package contents meet the fissile material exemptions in 10 CFR §71.53. Approval of the ORNL TRU Curium shipping package as a "non-fissile" Type A package is subject to Department of Transportation regulations and does not require an NRC certificate of compliance.

If you should desire to re-certify the ORNL TRU Curium shipping container as a Type B package, it will be necessary for you to submit a new application which addresses the requirements in 10 CFR Part 71 for a Type B(U) container.

Sincerely,

Original Signed by
CHARLES E. MACDONALD

Charles E. MacDonald, Chief
Transportation Branch
Division of Safeguards
and Transportation, NMSS

Enclosure: Approval Record

cc w/encl:
Mr. Michael E. Wangler
Department of Transportation

Registered Users

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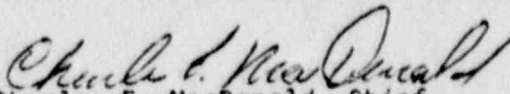
UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D. C. 20555

Approval Record
Model No. ORNL TRU Curium Shipping Container
Docket No. 71-5461

By application dated August 1, 1989, the Department of Energy (DOE) requested that Certificate of Compliance No. 5461 be amended to change the Model No. ORNL TRU Curium shipping container from a Type B() to Type AF package. DOE cited potential safety concerns during thermal accident conditions as the reason for its request.

In response to DOE's request, Certificate of Compliance No. 5461 authorizing the ORNL TRU Curium shipping container as a Type B() package was terminated. A revised certificate designating the container as a Type AF package was not issued because the package contents meet the fissile exemption limits in 10 CFR §71.53, i.e., a Type AF package is not required for shipment of the proposed contents. Approval of the ORNL TRU Curium shipping container as a Type A package for "non-fissile" contents is subject to Department of Transportation regulations and does not require a NRC certificate of compliance.

Staff agrees that if DOE desires to re-certify the ORNL TRU Curium shipping container as a Type B package, it will be necessary to submit a new application which addresses the requirements in 10 CFR Part 71 for a Type B(U) package.


Charles E. MacDonald, Chief
Transportation Branch
Division of Safeguards
and Transportation, NMSS

Dated: OCT 24 1989