

MAY 12 1978

Docket No. 50-329
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Consumers Power Company
ATTN: Mr. Stephen H. Howell
Vice President
1945 West Parnall Road
Jackson, MI 49201

Gentlemen:

The enclosed Circular No. 78-03 is forwarded to you for information. No written response is required. Should you have any questions related to your understanding of this matter, please contact this office.

Sincerely,

James G. Keppler
Director

- Enclosures:
1. IE Circular No. 78-03
 2. Listing of IE Circulars
Issued in 1978

cc w/encls:
 Central Files
 Director, NRR/DPM
 Director, NRR/DOR
 PDR
 Local PDR
 NSIC
 TIC
 Ronald Callen, Michigan Public
 Service Commission
 Dr. Wayne E. North
 Myron M. Cherry, Chicago

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SURNAME	Heishman/ls	Keppler	Davis		
DATE	5/10/78				

IE Circular 78-03
May 12, 1978

PACKAGING GREATER THAN TYPE A QUANTITIES OF LOW SPECIFIC ACTIVITY
RADIOACTIVE MATERIAL FOR TRANSPORT

This circular describes a situation that has occurred at nuclear power facilities and that could occur wherever greater than Type A quantities of low specific activity (LSA) radioactive material are packaged for transport.

Some licensees subject to the requirements of 10 CFR Part 71 have shipped packages containing greater than Type A quantities of LSA material in packages which are not authorized by NRC. These unauthorized shipments have resulted from inadequate understanding of Part 71 regarding LSA material. Differences between Part 71 and the Department of Transportation requirements in 49 CFR Parts 170-189 have apparently contributed to these misunderstandings.

Specifically, 49 CFR 173.392 authorizes the shipment of LSA material in "strong, tight packages" when transported in vehicles assigned for the sole use of the consignor. DOT regulations make no mention of the total activity that may be shipped in this manner. On the other hand, NRC regulations (10 CFR 71.3) require that no licensee shall (a) deliver any licensed materials to a carrier for transport or (b) transport licensed material except as authorized in a general or specific license issued by the Commission, or as exempted in Part 71. The general license of 10 CFR 71.12 has requirements for the type of container when more than a Type A quantity of radioactive material is to be transported. LSA material in excess of a Type A quantity is not exempt from the general license requirements. Several licensees have failed to recognize the difference in the DOT and NRC requirements and have packaged greater than Type A quantities of LSA material for transport in containers other than those authorized by the general license of 10 CFR 71.12.

Compliance with Part 71 is the responsibility of the NRC licensee who delivers licensed material to a carrier for transport or who transports such material outside the confines of his plant or other place of use.

No written response to this Circular is required. If you require additional information regarding this matter, contact the Director of the appropriate NRC Regional Office.

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IE Circular 78-03
May 12, 1978

LISTING OF IE CIRCULARS ISSUED IN 1978

Circular No.	Subject	First Date of Issue	Issued To
78-01	Loss of Well Logging Source	4/5/78	All Holders of Well Logging Source Licenses
78-02	Proper Lubricating Oil for Terry Turbines	4/19/78	All Holders of Reactor Operating Licenses or Construction Permits