

DOCKET NUMBER  
 PROPOSED RULE PR 170  
 (54FR 49763)

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 USNRC



**TRANSNUCLEAR, INC.**

'90 JAN 30 P4:00

January 29, 1990  
 OFFICE OF SECRETARY  
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Secretary  
 U.S. Nuclear Regulatory Commission  
 Washington, DC 20555

Attention: Docketing and Service Branch

Subject: Comments on Proposed Revisions to  
 10CFR Part 170 (54FR 49763)

Gentlemen:

Transnuclear, Inc. is a small business involved in all activities associated with the transportation and storage of radioactive materials. We design, develop, analyze, fabricate, test, operate and maintain packagings for all types of radioactive materials including spent nuclear fuel.

Transnuclear has a vital interest in the fees charged for reviews of applications submitted in accordance with 10CFR Parts 71 and 72.

Under Part 71, we hold Certificates of Compliance 9015 and 9016 for the TN-8, TN-8L, and TN-9 spent fuel casks. These Certificates have been revised numerous times to allow additional types of material to be shipped and to provide for modifications to the cask design. We also hold Certificate of Compliance 9233 for a Type B waste cask - the TN-RAM. And the Topical Report for our TN-24 spent fuel storage cask has been approved under 10CFR72.

We have previously commented on proposed revisions to Parts 170 and 171 (letter dated July 22, 1988) in favor of retaining a ceiling on the fee for reviewing a topical report. Unfortunately, the revised rule which went into effect January 30, 1989, removed the ceiling fee for topical reports. As a result the actual cost for review of the TN-24 cask design will be much greater than the \$20,000 budgeted when the Topical Report was submitted.

Therefore, we support completely the re-establishment of a ceiling fee for review of a topical report. It is gratifying to note that the rationale for a ceiling (page 49765) is the same as I discussed in my July 1988 letter.

To assure equity for all organizations which have submitted or will be submitting topical reports, we propose that the new ceiling

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TWO SKYLINE DRIVE • HAWTHORNE, NEW YORK 10532-2120  
 TELEPHONE: 914-347-2345 • FAX: 914-347-2346 • TELEX: 681-8082

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be retroactive to January 30, 1989. This would be especially fair to those who had submitted topical reports prior to that date with the expectations that they would know the exact cost of the NRC review, but were then required to pay full costs.

As discussed on page 49765, the number of topical reports submitted for review has significantly decreased. Therefore, the cost to the NRC of a retroactive ceiling should be minimal.

We will be pleased to discuss our comments with the NRC staff at any time. Please contact us if clarification of any of our comments is required.

Very truly yours,



Bill R. Teer  
Senior Vice President

BRT:nb

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**TRANSNUCLEAR, INC.**

Two Skyline Drive  
Hawthorne, NY 10532  
914-347-2345

Fax 914-347-2346

Date 1/30/90

TELECOPY

To: Secretary Mail Stop 16G15 Fax No. 301 492 0275

Attn: U.S. M.R.C. Phone \_\_\_\_\_

From: Bill R. Teer

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REMARKS: