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June 21, 1982

Secretary of the Commission  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555

DOCKET NUMBER

PROPOSED RULE

PR-71

(47 FR 21269)

Attention: Docketing and Service Branch

Gentlemen:

Subject: Proposed Rule on General License for Shipment  
in Packages Approved for Use by Another Person

Westinghouse is pleased to submit these comments on the NRC's proposed change to 10CFR Part 71 (47FR21269, May 18, 1982) which addresses the documentation which must be obtained and kept on file when using shipping packages which were approved for use by another person. Westinghouse believes that this proposed change has definite merit and therefore we endorse this effort. We would like to add the following additional comments for your consideration.

As the proposed rule is currently written, the "general license" would still have to obtain and review all the information referenced in the shipping package Certificate of Compliance or other approval in order to determine which information must be maintained in his possession. Once this determination has been made, however, the amount of paperwork that must be maintained on file by the "general licensee" has, admittedly, been reduced by this proposal. Maintenance of the records file is easy and relatively simple. The difficult part is often obtaining all the information in the first place.

A serious potential problem is that the NRC compliance inspector's judgment and/or interpretation, relative to the information that must be maintained on file, may differ from that of the "general licensee." If such difference cannot be resolved between the two affected parties, the "general license" may have to accept a noncompliance citation or be forced to refer the matter to NRC licensing. This is a needless waste of time and effort on everyone involved.

Acknowledged by card 6/25/82.mdv

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Add: Donovan Smith  
1130 SS

Secretary of the Commission

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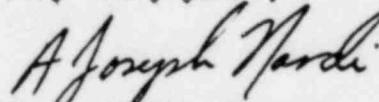
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Based on the foregoing, it is strongly suggested that the NRC give serious consideration to providing explicit identification of the required drawings and other documents relating to the use and maintenance of the subject packaging, and the actions to be taken prior to shipment. Since the present format of the NRC Certificate of Compliance contains a section for "references," the mechanism for accomplishing this already exists. Such considerations are an inherent aspect of the licensing evaluation and approval process and it would seem that the NRC licensing personnel are the most appropriate ones to render interpretations regarding the pertinence and relevance of such information. This could be assisted by having the original application prepared in such a format to make the identification and separation of the pertinent material straight forward.

A somewhat unrelated suggestion, but which would also help to reduce the paper-work burden, would be to give consideration to convert those NRC licensed shipping packages which have gained widespread usage to DOT specification packages.

If you have any questions concerning these comments, please contact me at the above address or telephone (412) 373-4652.

Very truly yours,

A handwritten signature in cursive script that reads "A. G. Nardi".

A. G. Nardi, Manager  
NES License Administration

AJN/dr