



~~OFFICIAL USE ONLY~~

Nuclear Fuel Services, Inc.

*Certified Mail
Return Receipt Required*

21G-22-0120
GOV-01-55
ACF-22-0230

September 16, 2022

Director, Office of Nuclear Material Safety and Safeguards
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555-0001
Attn: Document Control Desk

Reference: Docket No. 70-143; SNM-124

Subject: **NFS REQUEST FOR REVIEW AND CONCURRENCE REGARDING
APPLICATION OF 10 CFR 71.15 (C)(1) FOR WASTE SHIPMENTS**

Nuclear Fuel Services, Inc. (NFS) hereby requests Nuclear Regulatory Commission review and concurrence with the attached position paper regarding the application of 10 CFR 71.15(c)(1) for off-site waste shipments. During a Waste Certification Program surveillance, the disposal facility issued a finding associated with the term "commingled". NFS herein provides a position paper for NRC review, which addresses the finding with a detailed evaluation and example application that demonstrates safe, compliant handling, shipment, and disposal of low-level radioactive waste in accordance with the Code of Federal Regulations. The enclosed NFS Nuclear Criticality Safety Department analysis demonstrates the waste package configuration remains sub-critical in an infinite array and presents a low risk in terms of potential for inadvertent criticality in transport.

If you or your staff have any questions, require additional information, or wish to discuss this matter further, please contact me at (423) 743-1705, or Tom Holly, Licensing Manager, at (423) 743-2595. Please reference our unique document identification number (21G-22-0120) in any correspondence concerning this letter.

Sincerely,

NUCLEAR FUEL SERVICES, INC.

Tim Knowles
Safety and Safeguards Director

Attachment: Position Paper for Compliant Handling, Shipping, and Disposal of Low-Level Radioactive Waste Containing Fissile Material per the Exemption in 10 CFR 71.15

Enclosure A: 3-D Infinite Array of 130 gram ²³⁵U in Sand-Filled 55-Gallon Drums

Enclosure B: Affidavit

TCH/las

Copies:

Mr. James Downs
Senior Project Manager
Division of Fuel Management
Office of Nuclear Material Safety and
Safeguards
US Nuclear Regulatory Commission
Two White Flint North
11555 Rockville Pike
Rockville, MD 20852-2738

Mr. Larry Harris
NRC Senior Resident Inspector