

PUBLIC SUBMISSION

As of: 11/21/22, 3:52 PM
Received: November 18, 2022
Status: Pending_Post
Tracking No. lam-mwqy-ulda
Comments Due: November 28, 2022
Submission Type: Web

Docket: NRC-2016-0179

Revisions to Transportation Safety Requirements and Compatibility with International Atomic Energy Agency Transportation Requirements

Comment On: NRC-2016-0179-0072

Harmonization of Transportation Safety Requirements with International Atomic Energy Agency Standards

Document: NRC-2016-0179-DRAFT-0084

Comment on FR Doc # 2022-18520

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General Comment

Secretary, U.S. Nuclear Regulatory Commission November 18th, 2022

Washington, DC 20555-0001

ATTN: Rulemakings and Adjudications Staff

Dear NRC Staff,

My comment pertains to the use of the terms “lifting attachment” and “lifting device” in 10 CFR 71.45(a). Neither term is defined in 10 CFR 71.4; therefore, I utilize the definitions provided within ASME BTH-1 (2017) for my interpretation of 10 CFR 71.45(a). ASME BTH-1 defines a lifting attachment as “a load-supporting device that is bolted or permanently attached to the lifted load, such as lifting lugs, padeyes, trunnions, and similar appurtenances.” A lifting device is defined as “a device used for attaching a load to a hoist.” ASME BTH-1 lists hooks, slings, and rigging hardware as examples of lifting devices.

The first sentence of 10 CFR 71.45(a) currently states “Any lifting attachment... must be designed so that failure of any lifting device under excessive load would not impair the ability of the package to meet other requirements of this subpart.” In my judgement, the term “lifting device” should be replaced with the term “lifting attachment.” I believe this recommended change aligns the text of 10 CFR 71.45(a) with the intent of the requirement, which I perceive is to ensure that failure of a lifting attachment does not lead to subsequent damage to other integral packaging components in a manner adverse to safety. I believe that, in most cases, the failure of a lifting device, which is not a packaging component, is of secondary concern because it is less likely to damage the packaging. This recommended change is consistent with the comparable requirements of 49 CFR 173.410(b) and SSR-6 Rev. 1, Paragraph 608. This recommendation, if implemented, will also impact the associated guidance in Regulatory Guide 7.9.

Thank you for the opportunity to comment.

Respectfully,
Joshua Flach