

CBC Columbiana Boiler Company

Containers & Cylinders for Chemicals & Gases
UF₆ & UO₂ Packaging • Galvanizing & Tinning Kettles

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August 3, 2000

Nuclear Regulatory Commission
Washington DC 20555

DOCKET NUMBER
PROPOSED RULE **PR 71**
(65FR44360)

'00 SEP 27 AM 10:03

Re: Response to the NRC publication addressing a proposed rule making, which considers certain revisions to the regulations governing the transportation of radioactive materials.

Special Note: Ms. Melissa Mann, as a spokesperson of Columbiana Boiler Company ("CBC") and Hi Tech Manufacturing LLC ("Hi Tech"), is authorized to submit oral and written comments for CBC and Hi Tech for purposes of the NRC meeting held on August 10, 2000

The Columbiana Boiler Company ("CBC") is a manufacturer of packages used in the transport of radioactive materials and, through its subsidiary, Hi Tech Manufacturing LLC ("Hi Tech"), manufactures Dry Storage Canisters and related equipment. As such, CBC and Hi Tech operate within the context of both 10CFR71 and 10CFR72 respectively. CBC and Hi Tech respectfully submit the following comments articulated on an issue by issue basis:

Issue 4: UF6 Packages

CBC requests that 10CFR71 and the ISO recognize that the ANSI 14.1 and ISO 7195 are equivalent standards as to performance, safety, and compatibility with Protective Shipping Packages. This equivalency agreement would allow the manufacturer to dual rate/certify the UF6 cylinder and avoid needless confusion as to appropriate use by either standard in any Protective Shipping Package.

Issue 13: Expansion of Part 71 Quality Assurance Requirements to Holders of, and applicants for, a Certificate of Compliance.

CBC and Hi Tech strongly recommend the adoption of the proposed provisions, whereby the owner of the certificate of compliance could initiate non-safety design changes. Our recommendation speaks to packages approved under both 10CFR71 and 10CFR72. The cost savings to the owner of the certificate of compliance and the user community would be significant. Presently, any change in a 10CFR71 package requires a complete revision to the certificate of compliance, which necessitates sequential revisions to all international Competent Authority validations. As a consequence, even a change for minor issue will result in a financial expenditure in excess of \$100,000.

With respect to 10CFR72 packages, refinements and improvements will be available to the user community at an earlier time frame and at a lower cost.

All safety related design changes should require a revision in the certificate of compliance. CBC and Hi Tech understands the QA responsibility contained therein, including the additional enforcement sanctions. As a corollary to our comment on Issue 13, CBC and Hi Tech supports the adoption of the ASME Code.

Issue 14: Adoption of ASME Code

CBC is a holder of an NRC approval in accordance with 10CFR71(h). Both CBC and Hi Tech recommend that a consensus code, such as ASME, Section III, be utilized for all components used in the containment boundary of all products which are used in the transportation and storage of radioactive materials. This recommendation would be applicable to packages built in accordance with the provisions of 10CFR71 and 10CFR72. The logic of "N" stamped components for fissile and high level waste containment boundary(s) is compelling.

In the opinion of CBC and Hi Tech, a containment boundary for radioactive materials is sufficient rational to require ASME Section III Quality Assurance on all fissile and high level waste packages. In addition, CBC and Hi Tech supports an explanatory guideline in the ASME Code that speaks to the subject of categorization of materials, whereby all manufacturers are using the same criteria when categorizing materials.

CBC and Hi Tech submits that certain benefits of a third party Authorized Nuclear Inspector ("N" stamp) would accrue to the industry.

1. A common standard will be utilized for fabrication of all containment boundary components, as verified by an independent third party (decrease complexity and interpretation).
2. A common standard would facilitate international competent authority approvals (lower cost).
3. A common standard on QA categorization on containment boundary components would facilitate non-safety design changes design improvements (Lower Cost).
4. A common standard would mitigate intrusive QA oversight where not appropriate, as the fabricator and user would have a common initial point (Lower Cost).
5. In the judgment of CBC and Hi Tech, the ASME "N" stamp procedures are nearly equivalent to the provisions of 10CFR71 (h) on Category A (safety related components), and in the aggregate will not, as a direct result, significantly increase prices to the industry.

CBC and Hi Tech support the simple policy statement by the NRC articulating the policy to the ASME Code Requirement. Finally, CBC and Hi Tech endorse the use of equivalent international code standards, such that a USA entity may compete on an international basis.

Respectfully yours,

A handwritten signature in black ink, reading "Thomas F. Dougherty". The signature is fluid and cursive, with a large, stylized "T" and "D".

Thomas F. Dougherty, Chairman

For Columbiana Boiler Company and Hi Tech Manufacturing LLC