

Dr. Lohr

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3-16-60

Mr. L. J. Swallow  
Hematite Plant  
Mallinckrodt Nuclear Corporation  
Hematite, Missouri

Dear Mr. Swallow:

Please refer to our telephone conversation of January 27, 1960 and your letter of February 10, 1960, relative to the problem of transportation of special nuclear material.

Except for shipments meeting the requirements of 10 CFR Part 71, a hazardous situation might arise during shipment if two or more batches of SNM material, each safe when isolated from the other, are allowed to assemble during shipment, transshipment or delivery. Whereas a licensee can exercise supervision of shipment in his own vehicle, he has no such cognizance over shipments made by common or contract carrier, who are exempt from the regulations set forth in 10 CFR Part 70. For this reason, licensees must include in their applications, for quantities above those permitted by Part 71, an outline of proposed transportation procedures, together with arrangements with common and contract carriers to assure that the licensee shipment will not be combined with shipments of other special nuclear material, either on the same vehicle or at points of transshipment or delivery.

It is not our intent to withhold approval of shipments involving LCL or LTL shipments, or which require transshipment at intermediate points, provided the licensee has made definite and positive arrangements with the carrier to make certain that the shipment is not combined en route with other special nuclear material. In the absence of such assurance, it becomes necessary for the licensee to adopt procedures under which his shipment will be safe from criticality accident even when it is combined with other shipments of special nuclear material.

I regret any misunderstanding resulting from our telephone conversation on January 27. I meant to imply that we would approve

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shipments which did not have exclusive use of the vehicle and which might involve transshipment only if assurances as noted above were before us.

With respect to your plans for shipment by contract carrier, we would see no reason to withhold approval of an otherwise safe shipment, provided you have obtained certification of the carrier that your material would not be loaded on the same vehicle with other special nuclear material, and that it would not be combined with other special nuclear material at points of transshipment or delivery.

Sincerely yours,

Charles D. Luke  
Hazards Evaluation Branch  
Division of Licensing and  
Regulation

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