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Ms. Annette L. Vietti-Cook
Secretary to the Commission
U. S. Nuclear Regulatory Commission
Washington, DC 20555
Attn: Rulemakings and Adjudications Staff

RECEIVED
DCS-NRC-000372
10 March 2014

Subject: Docket Number 070-03098
Shaw AREVA MOX Services
Comments in Response to Docket ID NRC-2013-0195
10CFR74 Rulemaking

11/8/2013

78 FR 67224

(10)

RE: (A) Proposed Rule and Guidance for 10CFR74, "Amendments to Material Control and Accounting Regulations," published in the Federal Register on November 8, 2013 (78 FR 67224 and 78 FR 67225)
(B) Proposed Rule and Guidance for 10CFR74, "Amendments to Material Control and Accounting Regulations," published in the Federal Register on December 30, 2013 (78 FR 79328)

Shaw AREVA MOX Services, LLC (MOX Services) hereby submits to the U.S. Nuclear Regulatory Commission (NRC) comments on the proposed rule and guidance for 10CFR74 as published in Reference (A). The NRC subsequently extended the comment period for this response to March 10, 2014 in Reference (B).

If you have any questions, please feel free to contact me at (803) 819-2156 or Dealis Gwyn, Licensing and Nuclear Safety Manager at (803) 819-2780.

Sincerely,

A handwritten signature in cursive script that reads "Kelly Trice".

Kelly D. Trice
President and COO

SUNSI Review Complete
Template = ADM - 013
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Enclosure:

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cc (w/encl):

David Tiktinsky, USNRC/HQ

cc (w/o encl.):

Scott Cannon, NNSA/SRS

T. Gary Clark, MOX Services

Sam Glenn, NNSA/SRS

William Gloersen, USNRC/RII

Dealis Gwyn, MOX Services

Sue King, MOX Services

Kevin Morrissey, USNRC/HQ

Gilles Rousseau, MOX Services

Deborah Seymour, USNRC/RII

Melvin Shannon, USNRC/SRS

Donald Silverman, ML&B

Rodney Whitley, MOX Services

Paul Whittingham, MOX Services

Bryan Wilkes, MOX Services

Lauren Wylie, MOX Services

EDMS: Corresp\Outgoing\NRC\2014 NRC

Enclosure

Comments provided in response to Docket ID NRC-2013-0195, 10CFR74 Rulemaking

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Line #	Section #	Comment	Suggested rewording of section
1	74.3(e)	This GPO is unclear. Confusion exists regarding what information is to be protected and how.	Store, handle, and control MC&A record information in such a way that there is reasonable assurance that information is protected against the alteration, manipulation, or the ability to otherwise modify the information in a way that would compromise its integrity by an unauthorized person. Record information to be considered for control includes such things as: mass, isotopics, item identifiers, location, etc. that is contained in the facility's MC&A accountability system and has been determined to be beneficial to an adversary in planning or executing a theft, diversion, misuse, or other malevolent act.
2	74.31(c)(6)	Suggest rewording to clarify that the requirement only applies to SNM containers that have been put under item control. Also clarify that it is permissible to control SNM in containers under other control provisions of this regulation. In addition, NRC has expressed that the intent of the word changes in this section is that the capability must be maintained to detect diversion of material from an item if such an event is indicated.	Establish, document, implement, and maintain an item control system as defined in 74.4. Store, handle, and subsequently measure items in a manner so as to detect the unauthorized removal of individual items or to detect the unauthorized removal of a measurable quantity of SNM from an item if such a removal is indicated by material control features or any other method. Exempted from this requirement are materials undergoing processing (i.e., materials controlled under other provisions of this regulation such as process monitoring), SNM in solution with a concentration of less than 6 grams of uranium-235 per liter, and items of waste destined for burial, incineration, or other NRC approved means of disposal.
3	74.31(c)(10)	The wording of this section seems to force licensees to designate more than one MBA and, in addition, at least one ICA. Further, it implies that there is a change to custodial responsibilities from the current version of the regulation.	Licensees shall manage all SNM in inventory through the use of one or more MBA(s) and/or ICA(s). Each individual MBA and ICA shall have a custodian assigned in a manner that ensures custodial responsibilities can be effectively executed for all SNM possessed under the license.
4	74.51(c)(2)	The new proposed rewording of this section seems to change the population of people that must be considered when preventing collusion. Is that the intended meaning?	