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U.S. Nuclear Regulatory Commission
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Subject: EnergySolutions, LLC Comments on Draft Regulatory Guide (DG) DG-7010

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COMMENT (2)

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The U.S. Nuclear Regulatory Commission (NRC) issued Draft Regulatory Guide DG-7010, "Leakage Tests on Packages for Shipment of Radioactive Material," for comment on April 8, 2019. It identifies proposed Revision 2 changes to Regulatory Guide 7.4. Comments are due by June 7, 2019.

EnergySolutions, LLC (EnergySolutions) is a license holder of several low-level waste type B packages regulated under 10 CFR 71 which are licensed/used in the U.S. and internationally. Hundreds of shipments are made safely in EnergySolutions Type B packages by our customers (end users) every year. EnergySolutions appreciates the opportunity to provide its perspectives and comments to this draft document.

We believe that safe transportation of radioactive payloads remains a first priority during consideration of new requirements. Updating the leak test requirements to meet current national standards supports the continued safe transportation of radioactive packages. Therefore, EnergySolutions endorses proposed Revision 2 to Regulatory Guide 7.4 with the following comments:

- 1) Currently, there are several licensed Type B transport casks for which containment boundary leak tests have not been performed during fabrication. Most of these casks (low-level waste and dual-purpose used nuclear fuel casks) were built prior to 1999. ANSI N14.5-2014 requires performing a fabrication leak test on containment boundary components during manufacturing of these casks; however, it is no longer feasible due to limited access to containment boundary elements after cask fabrication was completed. In such cases, exception from ANSI N14.5-2014 associated with fabrication leak test requirements for already built casks will have to be made and alternative approaches to demonstrate compliance may be developed by cask CoC license holders and considered by the NRC. We propose that existing casks be grandfathered to the standards they were designed and built to so there is no need to obtain an exception to the standard.
- 2) ANSI N14.5-2014 introduced significant changes associated with requirements for training/certification of the personnel performing leak testing. ANSI N14.5-1997 requires that Trained and Qualified Personnel shall perform leakage testing in accordance with written procedures and a written quality assurance program. ANSI N14.5-2014 requires that all leak test procedures are approved by ASNT NDT Level III personnel in Leak Testing (LT) and testing is performed by personnel certified based on SNT-TC-1A (Recommended Practice for Personnel Qualification and Certification in Nondestructive Testing). Historically, leak-testing activities have been performed by Trained and Qualified personnel based on the

user's quality assurance program. The 2014 version of the standard requires the leak tests to be performed by Certified Level II or Level III personnel in LT. We anticipate a large impact on the industry associated with pre-shipment leak test measurements (required to verify proper cask assembly /closure prior to shipment) of low-level waste Type B packages due to the new requirements of ANSI N14.5-2014. Because of the existing very limited pool of ASNT NDT Level III, LT expertise available in the U.S.A. (less than 100 certified individuals), the cask users will be forced to make a choice between developing their own Level II or Level III, LT personnel or subcontracting these activities to organizations providing such services. This change may result in improved consistency of training/experience and qualifications among leak testing personnel, however, it will provide additional financial/administrative burden on cask users and cask CoC license holders with little or no benefit to safety. We propose that existing qualified leak test personnel be given a five-year implementation period to obtain their ASNT Level II or III leak test certification.

If you should have any questions regarding these comments, please contact me at (860) 462-9707.

Respectfully,



Gerard van Noordennen

Senior Vice President Regulatory Affairs