

Q4 2017 NEWS



Dear Cask Users

If you are in anyway involved with our beautiful casks, please make sure you are staying up to date by regularly visiting the EnergySolutions Customer Portal at <https://customerportal.energysolutions.com>. Registration is required for first-time users, so please be patient for your username and password. Once logged in, you can access the Cask Manuals (which include cask related procedures); Safety Analysis Reports (SAR); Certificates of Compliance (CoC); Technical Bulletins; Position Papers; Newsletters on significant developments/events; and Type B Cask Radiological Payload Qualification Verification Support.

Also, please take time to read [NRC Information Notice 2016-04 ANSI N14.5-2014](#) Revision and Leakage Rate Testing Considerations. It is expected the ANSI N14.5-2014 essential requirements will be incorporated in the 8-120B cask CoC Rev. 24 during 2018. This includes new requirements for pre-shipment leak test procedures and certification of the personnel who will be performing pre-shipment leakage rate testing on 8-120B casks.

IATA DGR 59th Edition Updates



The new edition of the International Air Transport Association (IATA) Dangerous Goods Regulations (DGR) is now available and will be effective starting 01 January 2018. Check out the list of Significant Changes for the 59th 2018 Edition at: [IATA DGR Downloads](#). Find all the changes by purchasing the 2018 edition and comparing the reference marks indicating any deletions, revisions and additions to the 2017 edition. Might we suggest attending one of our IATA courses to stay up to date which are available on Friday during our regularly scheduled DOT/NRC Radioactive Shipping Workshops, also available online, or schedule the one-day IATA course on your site.

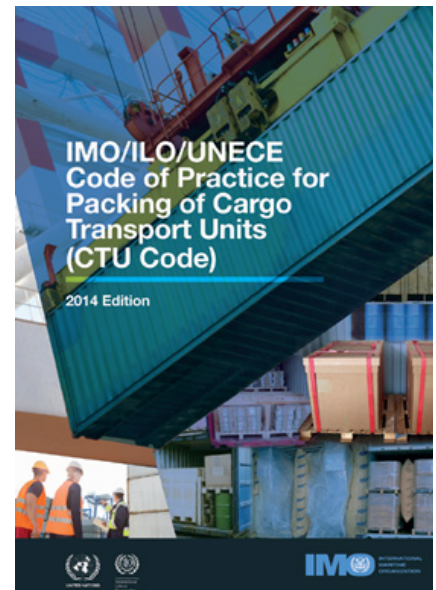
NRC Updated Advanced Notification Designee List

The Nuclear Regulatory Commission (NRC) has updated the list of individuals to receive advance notification of radioactive material and nuclear material shipments required by either 10 CFR Part 37, Part 71 or Part 73 in November 2017. This list of States, Territories and Participating Tribes can be downloaded from the NRC website at <https://scp.nrc.gov/special/designee.pdf>

IMDG Code 2016 Edition Amendment 38-16

The International Maritime Dangerous Goods (IMDG) Code, which was first published by the International Maritime Organization (IMO) in 1965, has become the standard guide to all aspects of handling dangerous goods

(hazardous materials) and marine pollutants in sea transport. The IMDG Code lays down basic principles: detailed recommendations for individual substances, materials and articles, and a number of recommendations for good operational practice, including advice on terminology, packing, labeling, stowage, segregation and handling, and emergency response action. The latest Amendment 38-16 of the IMDG Code is mandatory as from 01 January 2018 but may be applied in whole or in part on a voluntary basis from 01 January 2017. The IMO has included a new Code of Practice for Packing of Cargo Transport Units (CTU Code) by reference in the IMDG Code. The CTU Code gives advice on the safe packing of cargo transport units to those responsible for the packing and securing of the cargo and by those whose task it is to train people to pack such units. This publication outlines theoretical details for packing and securing as well as giving practical measures to ensure the safe packing of cargo onto or into CTUs.



Important Dates to Remember

January 1, 2016: Exclusive Use only when required by 49 CFR (HM-215M, 80 FR 1076, January 8, 2015)

January 1, 2017: Type A package documentation including content detailed analysis to be kept on file for 2 years (HM-250, 79 FR 40590, July 11, 2014)

January 1, 2018: Uranium hexafluoride (UF₆): add Division 6.1 poisonous material (HM-215N, 82 FR 15796, March 30, 2017)

January 1, 2019: Labels with 2mm inner border (HM-215M, 80 FR 1076, January 8, 2015 & HM-215N, 82 FR 15796, March 30, 2017)

FAQs

Topic: When Hazardous Materials Regulations (49 CFR Parts 107–180) are applicable to persons and functions

** Can a rolling road closure with escorts along a public road meet the hazardous material regulation exclusion listed in 49 CFR 171.1(d), in other words the shipment is not in commerce? Reference # 06-0135, 11-0246, & 14-003*

No, the public road would need to be part of the facility boundary and restrict access by signals, lights, gates or similar controls (like a guard).

** Are contractors, temporary help or third party consultants subject to the HMRs, like training? Reference # 07-0116, & 11-0140*

Yes, anyone performing a safety related transportation function is subject to the HMRs as applicable to their function. This includes training, security and/or registration as appropriate. Hazardous material employee training can be provided by either of the hazardous material employers, your company or the contracting company.

** Can a federal employee and/or federal shipment be exempt from the HMRs? Reference # 09-0289, 10-0069, 10-0213, 11-0040, 14-0101, & 14-0155*

Yes, any shipment operated by a government employee for government purposes is excluded from the HMRs per 171.1(d)(5). However, the answer is no, if a contractor operates or offers for transport government hazardous material.

** Can someone help or assist a shipper without having DOT 49 CFR 172 Subpart H training? Reference # 98-0326, 02-0172, 05-0019, 09-0154, & 11-0282R*

Yes, but the person would be observed by someone who is Subpart H trained and training is completed within 90 days.

To access any DOT letters of interpretation, go to: <http://www.phmsa.dot.gov>. Then, click on: "Regulations and Compliance" and "Interpretations" Next, you can search by the reference number, the applicable regulatory section number, or the published date using the "Interpretations Browser."

popquiz



Can you find the required truck tractor fire extinguisher? Would you believe this picture was taken after the removal of other stuff in front of the extinguisher? What are the two (2) requirements for power unit fire extinguishers found in 49 CFR 393.95? Did you say "They must be filled and located so that it is readily accessible for use" and "The extinguisher must be securely mounted to prevent sliding, rolling, or vertical movement relative to the motor vehicle"?



Can we say interesting use for a webbed tie-down? What is the proper load securement technique for loose fill dirt to prevent its loss? You may be thinking by using anything but a strap!?! Thanks again for sharing this picture with us. We appreciate your submissions.



Do you really need to compare a placard to the regulations and to the examples giving in DOT Chart 16 before using the placard for a shipment? Is there anything wrong with this corrosive placard? Did you notice the black color should not extend to the outer edge? The black color should only extend to the inner border per 49 CFR 172.519(d)(4).



THE LATEST HAPPENINGS

IN THE FEDERAL REGISTER

NRC ISSUES PART 72 COC: On September 22, 2017 (82 FR 44299), the Nuclear Regulatory Commission (NRC) published a notice announcing the issuance of Regulatory Issue Summary (RIS) 2017-05, "Administration of 10 CFR Part 72 Certificate of Compliance Corrections and Revisions." This RIS informs all holders of certificates of compliance and all general licensees subject to the licensing requirements for the independent storage of spent nuclear fuel, high-level radioactive waste, and reactor-related greater than Class C waste, of the processes to revise an initial certificate of compliance and subsequent amendments to make administrative corrections and technical changes using the existing regulatory framework. The RIS is available as of September 22, 2017 at the [NRC Documents Webpage](#).

NRC REVISED NUREG-1556: On October 03, 2017 (82 FR 46102), the NRC published a notice announcing the issuance of Revision 1 to NUREG-1556, Volume 18, "Consolidated Guidance about Materials Licenses: Program-Specific Guidance about Service Provider Licenses," which updates licensing guidance for service provider licenses. This document has been revised to include information on updated regulatory requirements, safety culture, security of radioactive materials, protection of sensitive information, and changes in regulatory policies and practices. The document is intended for use by applicants, licensees, and the NRC staff. NUREG-1556, Volume 18, Revision 1 was published in August 2017.

NRC REVISES FORM 3: On October 04, 2017 (82 FR 46310), the NRC published a notice announcing the availability of the latest version of NRC Form 3, "Notice to Employees." The NRC Form 3 describes certain responsibilities and rights of employers and employees who engage in NRC-regulated activities. Licensees are required by law to post the form at prominent locations at the workplace to permit workers to view it easily. The revised form is available as of October 4, 2017 at <https://www.nrc.gov/reading-rm/doc-collections/forms/>

NRC REQUESTS COMMENT LLRW DISPOSAL CHANGES: On October 17, 2017 (82 FR 48283), the NRC published a notice requesting comment on the draft regulatory

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NRC Public Participation and Interaction



THE LATEST HAPPENINGS

analysis, “Draft Regulatory Analysis for Final Rule: Low-Level Radioactive Waste Disposal,” and seeking specific cost and benefit information to better inform the updated draft regulatory analysis. This is the next step after the NRC’s proposed rule, “Low-level Radioactive Waste Disposal,” published on March 26, 2015 (80 FR 16082) in the Federal Register. As a result of the comments received on the proposed rule, the NRC drafted a final rule package to include: 1. Overview of proposed changes “SECY-16-0106, Final Rule: Low-Level Radioactive Waste Disposal 10 CFR Part 61 (RIN 3150-AI92)” dated September 15, 2016 (ADAMS Accession No. ML16188A307); 2. Draft Federal Register notice (ADAMS Accession No. ML16188A371); and 3. Draft final regulatory analysis (ADAMS Accession No. ML16189A050). On November 24, 2017 (82 FR 55790), the NRC published a notice extending the public comment period until December 18, 2017 to allow more time for members of the public to develop and submit their comments. Comments received after this date will be considered if it is practical to do so, but the NRC is able to assure consideration only for comments received on or before this date. During the comment period for this action, the NRC will conduct a public meeting at the NRC’s Headquarters that will explain the cost and benefit information it is seeking in this notice and to address questions. Information regarding the public meeting is posted on the NRC’s public meeting Web site. The NRC’s public meeting Web site is located at <https://www.nrc.gov/public-involve.html>. The NRC has also posted the meeting notice on the Federal rule-making Web site at <http://www.regulations.gov> under Docket ID NRC-2011-0012.

NRC REQUESTS LLRW ALTERNATIVE DISPOSAL COMMENTS: On October 19, 2017 (82 FR 48727), the NRC published a notice requesting comment on the draft revision to its guidance document for alternative

disposal requests entitled, “Guidance for the Reviews of Proposed Disposal Procedures and Transfers of Radioactive Material Under 10 CFR 20.2002 and 10 CFR 40.13(a)”. The purpose of this draft revision to the guidance is to improve the alternative disposal process by providing more clarity, consistency, and transparency to the process. In addition, this draft revision to the guidance also clarifies the meaning of disposal relative to 10 CFR 20.2002 authorizations to include recycling and reuse of materials. The draft revision to the guidance is available for public comment at [ADAMS](#) Accession No. [ML16326A063](#). During the comment period, the NRC will conduct a public meeting at the NRC’s Headquarters that will explain the draft revision to the guidance and address questions. Information regarding the public meeting will be posted on the NRC’s public meeting Web site at least 10 calendar days before the meeting. The NRC’s public meeting Web site is located at <https://www.nrc.gov/public-involve.htm>. Please submit comments by December 18, 2017. Comments received after this date will be considered if it is practical to do so, but the NRC is able to assure consideration only for comments received on or before this date.

10 CFR MISCELLANEOUS CORRECTIONS: On November 15, 2017 (82 FR 52823), the NRC published a final rule amending 10 CFR Parts 2, 9, 40, 50, 61, 71, 73 and 110 to make miscellaneous non-substantive corrections which include correcting references, an address and a misspelling; and also make references to persons in one part of the NRC’s regulations gender neutral. This rule is effective December 15, 2017.

DOT PACKAGING MANUFACTURER APPROVAL EXPIRATION DATE: On November 17, 2017 (82 FR 54465), the Pipeline and Hazardous Materials Safety Administration (PHMSA) published a notice proposing to terminate any M-number and R-number

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approvals that were previously issued without an expiration date to standardize manufacturer and reconitioner approvals. The termination of these approvals will take effect November 17, 2018. Approval holders must either show cause why their approvals should not be terminated or apply for a modification of their approval prior to the effective date to avoid termination. PHMSA is concerned that holders of approvals issued without expiration dates may have stopped operations, or changed their names or principal places of business without notifying PHMSA. Requiring these holders to modify their approvals will require them to reestablish contact and communication with PHMSA. Modified approvals will conform to the Approvals and Permits Division’s standardized format in which all approvals have a 5-year expiration date.

FDA FOOD TRANSPORT RULE GUIDANCE: On November 22, 2017 (82 FR 55503), the Food and Drug Administration (FDA) published a notice announcing the availability of a guidance for industry entitled “Sanitary Transportation of Human and Animal Food: What You Need to Know About the FDA Regulation-Small Entity Compliance Guide” at <https://www.fda.gov/FoodGuidances>. The small entity compliance guide (SECG) is intended to help small entities comply with the final rule entitled “Sanitary Transportation of Human and Animal Food” published April 6, 2016 (81 FR 20091) in the federal register by establishing requirements for shippers, loaders, carriers by motor vehicle and rail vehicle, and receivers engaged in the transportation of food, including food for animals, to use sanitary transportation practices to ensure the safety of the food they transport. The final rule, which is codified at 21 CFR Part 1 Subpart O, became effective June 6, 2016, and has compliance dates that started April 6, 2017.

2018 COMMERCIAL TRAINING SCHEDULE

Radioactive Class 7 Material Packaging, Transportation & Disposal Regulatory Compliance Courses

All DOT/NRC training courses meet the requirements of 49 CFR Part 172 Subpart H and NRC IE Notice 79-19

COURSE	DATE	CEU**	TUITION	LOCATION
EnergySolutions Customer Conference, Customer Portal & Clive WAC Training	January 29 - 31	--	\$0	Salt Lake City, UT
Clive Disposal Site Facility Tour	January 29	--	\$0	Salt Lake City, UT
DOT/NRC Radioactive Waste Packaging, Transportation & Disposal	Feb. 26 - Mar. 1	32	\$1,895	Mount Pleasant, SC
Air Transport of Radioactive Materials (IATA/DOT)	March 2	8	\$945*	Mount Pleasant, SC
DOT/NRC/EPA Hazardous Waste/Mixed Waste Packaging, Transportation & Disposal	March 19 - 23	32	\$1,995	Salt Lake City, UT
Clive Disposal Site Facility Tour	March 22	--	\$0	Clive, UT
DOT/NRC Radioactive Waste Packaging, Transportation & Disposal	April 23 - 26	32	\$1,895	Surfside Beach, SC
Air Transport of Radioactive Materials (IATA/DOT)	April 27	8	\$945*	Surfside Beach, SC
DOT/NRC Radioactive Waste Packaging, Transportation & Disposal	June 4 - 7	32	\$1,895	Monterey, CA
Air Transport of Radioactive Materials (IATA/DOT)	June 8	8	\$945*	Monterey, CA
DOT/NRC/EPA Hazardous Waste/Mixed Waste Packaging, Transportation & Disposal	July 16 - 20	32	\$1,995	Oak Ridge, TN
Bear Creek Operations (BCO) Facility Tour	July 19	--	\$0	Oak Ridge, TN
DOT/NRC Radioactive Waste Packaging, Transportation & Disposal	July 30 - Aug. 2	32	\$1,895	Orlando, FL
Air Transport of Radioactive Materials (IATA/DOT)	Aug 3	8	\$945*	Orlando, FL
DOT/NRC/EPA Hazardous Waste/Mixed Waste Packaging, Transportation & Disposal	Sept. 10 - 14	32	\$1,995	Columbia, SC
Barnwell Disposal Site & Processing Facilities Tour	Sept. 13	--	\$0	Barnwell, SC
DOT/NRC Radioactive Waste Packaging, Transportation & Disposal	October 22 - 25	32	\$1,895	Hilton Head, SC
Air Transport of Radioactive Materials (IATA/DOT)	October 26	8	\$945*	Hilton Head, SC
DOT/NRC Radioactive Waste Packaging, Transportation & Disposal	Dec. 3 - 6	32	\$1,895	Henderson, NV
Air Transport of Radioactive Materials (IATA/DOT)	Dec. 7	8	\$945*	Henderson, NV

IATA*: If an IATA class is taken in conjunction with the basic class during the same week, there is a \$200 multi-class discount

CEU**: The American Academy of Health Physics (AAHP) has awarded continuation education credit hours for these courses

