



U.S. Department
of Transportation

**Pipeline and
Hazardous Materials Safety
Administration**

400 Seventh Street, S.W.
Washington, D.C. 20590

APR 14 2005

Mr. David Pstrak
Nuclear Material Safety and Safeguards
Spent Fuel Project Office – 13D13
United States Nuclear Regulatory Commission
Washington, D.C. 20555-0001

Ref. No. 05-0082

Dear Mr. Pstrak:

This responds to your letter of April 7, 2005, requesting clarification as to whether a shipper that has drilled holes in a "Type A package" must perform an analysis on the package to confirm that no contents would be released.

The answer is yes. It is the opinion of this office that if holes are drilled in a package that was previously demonstrated to satisfy the "Type A package" performance requirements, the package would no longer be identical to the previously designed and tested package. Therefore, a "Type A package" that has holes drilled in it, may not continue to be designated as a "Type A package" until it has been completely evaluated against the specifications specified in § 178.350. That evaluation may be conducted using any of the methods described in § 173.461(a), or a combination of them, and documented in accordance with § 173.415(a).

I trust this satisfies your inquiry. If we can be of further assistance, please contact us.

Sincerely,

Susan Gorsky
Acting Director, Office of Hazardous
Materials Standards



050082

173.416

Ferate, Fred <PHMSA>

Legitimate system

From: Dave Pstrak [DWP1@nrc.gov]
Sent: Friday, March 11, 2005 9:13 AM
To: Ferate, Fred <PHMSA>; Williams, James <PHMSA>
Cc: John Cook; Robert Lewis
Subject: Fwd: Question of drilling holes in Type A containers

*Betts
173.416
packages
05-0082*



Question of drilling
holes in ...

Gentlemen,

Here is and incoming email from Region IV concerning drilling of holes in Type A packages.

I'd like to get DOT's thoughts on this.

Could a shipper who has put holes in a Type A container perform an analysis on the container to confirm that no contents would be released? It seems reasonable to say that the contents of a gauge would not fit through a hole that is plugged with a bolt. I don't want to promote putting holes in Type A packages, but if one can prove that the integrity is maintained, is there an issue?

Please let me know your thoughts.

Thanks!

David

Ferate, Fred <PHMSA>

From: James Thompson [jlt3@nrc.gov]
Sent: Thursday, March 10, 2005 4:23 PM
To: Dave Pstrak
Cc: Jeffrey Cruz
Subject: Question of drilling holes in Type A containers

Mr. Pstrak,

This is a followup email regarding our telephone conversation today about the above subject.

Apparently, in an effort to comply with the new security requirements for portable gauges, some licensees are bolting the portable gauge containers (Type A 7A) via holes drilled into the container, directly into the bed of a pickup truck, or securing the Type A container to a metal box via bolts. The question arose during inspection debriefs as to whether DOT would consider this drilling of holes and bolting of the Type A container as a compromise of the integrity of the DOT Type A 7A container.

These bolts are only an inch or two long, just enough to hold the package firmly into place. The holes do not appear to be in the immediate vicinity of the gauge itself, merely on the outside perimeter of the container.

The inspectors in the field greatly appreciate your assistance in answering these questions regarding the new security requirements of these portable gauges.

-James L. Thompson
RIV/NMIB