Record of Decision

in the matter of

Applicant: NAC International (NAC)

Subject: Request by NAC for Canadian certification of the NAC-LWT transport package for the shipment of highly enriched uranyl nitrate liquid (HEUNL)

Date: July 10, 2015
Record of Decision

Applicant: NAC International (NAC)

Address/location: NAC International
Atlanta Corporate Headquarters
3930 East Jones Bridge Road, Suite 200
Norcross, Georgia, United States 30092

Purpose: Request by NAC for Canadian certification of the NAC-LWT transport package for the shipment of highly enriched uranyl nitrate liquid (HEUNL)

Request received: December 28, 2012
Canadian certification of the NAC-LWT transport package for the shipment of HEUNL: Approved

Introduction

1. In December 2012, NAC submitted an application, to both the United States regulatory authorities and the Canadian Nuclear Safety Commission (CNSC), for the certification of a revised version of the currently certified NAC-Legal Weight Truck (NAC-LWT) package design for the intended transport of highly enriched uranyl nitrate liquid (HEUNL).

2. Since NAC is an American-based company, according to the International Atomic Energy Agency (IAEA) regulations the package must first be certified in the United States, the country of the design’s origin.

3. On January 29, 2015, the United States Department of Transport (USDOT) issued Competent Authority Certificate USA/9225/B(U)F-96, Revision 54 for the NAC-LWT for the shipment of HEUNL, which includes the United States Nuclear Regulatory Commission (USNRC) Certificate of Compliance.

4. On January 30, 2015, NAC requested the Canadian certification (validation of the USDOT certificate) of the NAC-LWT transport package for the shipment of HEUNL.

5. On July 2, the United States Department of Transport (USDOT) issued the revised Competent Authority Certificate USA/9225/B(U)F-96, Revision 57 for the NAC-LWT for the shipment of HEUNL, which includes the United States Nuclear Regulatory Commission (USNRC) Certificate of Compliance.

6. To be certified in Canada, the NAC-LWT transport package must comply with the requirements of the CNSC Packaging and Transport of Nuclear Substances Regulations, 2015 (PTNSR) and the IAEA Regulations for the Safe Transport of Radioactive Material (2012 Edition).

7. As for all transport certificates, and in line with international benchmarking, the Commission has delegated to the Executive Vice-President and Chief Regulatory Operations Officer, as a Designated Officer under the Nuclear Safety and Control Act Section 37(2)(a), the authority to approve the Canadian certificate for the NAC-LWT transport package.

Issue

8. In considering the request, the Executive Vice-President and Chief Regulatory Operations Officer was required to decide, pursuant to paragraph 37(2)(a) of the Nuclear Safety and Control Act, if NAC has met all of the regulatory requirements for certification of the NAC-LWT transport package for the shipment of HEUNL.
Decision

9. Based on the consideration of the matter, as described in more detail in the following section, the Executive Vice-President and Chief Regulatory Operations Officer concludes that NAC meets all of the regulatory requirements for certification of the NAC-LWT transport package for the shipment of HEUNL. Therefore,

the Executive Vice-President and Chief Regulatory Operations Officer, approves the Canadian certification of the NAC-LWT transport package for the shipment of HEUNL.

Issues and findings

10. In making this decision, the Executive Vice-President and Chief Regulatory Operations Officer considered a number of issues to approve the certification of the NAC-LWT for the shipment of HEUNL.

Certification requirements

11. CNSC staff confirmed that the USDOT and USNRC have issued certificates for the NAC-LWT for the shipment of HEUNL.

12. CNSC staff confirmed through technical assessment, including an environmental assessment (EA) under the Nuclear Safety and Control Act that NAC has demonstrated that the NAC-LWT package with HEUNL contents complies with the requirements of the PTNSR and IAEA regulations.

13. CNSC staff concluded in the EA that the NAC-LWT package proposed by NAC for the intended transport of HEUNL will ensure the protection of the environment and health and safety of people.

14. Several requests for additional information were made by the CNSC in the course of reviewing the amendment application, which have been addressed by NAC to the satisfaction of CNSC staff who concluded that the NAC-LWT package is in compliance with all CNSC requirements and IAEA requirements.

Other information

15. CNSC staff issued a non-proprietary technical assessment report of the NAC-LWT transport package for the shipment of HEUNL for public comment. The first consultation period took place between December 23, 2014 and February 9, 2015. The second consultation period took place between May 4 and June 4, 2015. All comments received were dispositioned by CNSC staff and a consultation report summarizing all relevant
comments received during the consultation period will be posted on the CNSC website with this record of decision.

16. This decision does not authorize the transport of the NAC-LWT package. Before any shipment of the certified NAC-LWT package with HEUNL content in Canada, a transport licence under the PTNSR, and an export licence under the CNSC Nuclear Non-Proliferation Import and Export Control Regulations will need to be approved. (TBD)

[Signature]

Ramzi Jammal  
Executive Vice-President and  
Chief Regulatory Operations Officer  
Regulatory Operations Branch  
Canadian Nuclear Safety Commission

[Date]  2015/07/10