

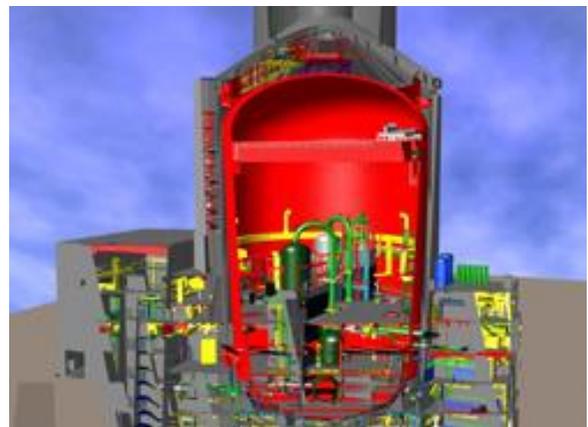
Major Nuclear Industry Milestone Achieved

The Nuclear Regulatory Commission (NRC) has approved the first ever Combined Licenses (COL) to Southern Nuclear Operating Company's (SNC) according to NRC News #12-013 dated February 9, 2012. The COLs will authorize SNC to build and operate two Westinghouse AP1000 reactors at the Vogtle site, adjacent to the company's existing reactors approximately 26 miles southeast of Augusta, Georgia. The Westinghouse AP1000 design is a 1,100 megawatt pressurized-water reactor that includes passive safety features that would cool down the reactor after an accident without the need for electricity or human intervention. Congratulations to all!



*Review Suspended by Applicant

** COL Application Amended by Applicant to ESP on 03/25/2010



Multimodal Lithium Battery Update

The newest editions of the DOT regulations and ICAO/IATA have been published, and unfortunately the modes still are not harmonized regarding lithium batteries. A lithium battery, which could travel free of regulation by highway, could be completely regulated as a Class 9 material when traveling by air! Of course this causes great confusion, and is certainly subject to a lot of debate! The “lack of harmony” could be here to stay as well. DOT at this point is showing no inclination to adopt the international standards for lithium battery transport. Adding to the complication is the fact that almost every device is now powered by these batteries, and the sheer number of them in the transport system at any time is staggering. For those people who wonder what the hazards of these batteries are, just enter the keywords “lithium battery fires” on YouTube and prepare to be amazed!

Many devices which are powered by these batteries could have additional hazards as well, such as a radioactive instrument or article powered by a lithium metal battery. The vocabulary on this subject is enormous nowadays. We hear terms like: ion, polymer, large-format, iron, single cell battery, battery pack and the like. Needless to say, the key to understanding is training which focuses specifically on these batteries and their real world, modern application. These batteries are here to stay, and their regulation will continue to be controversial and confusing.



Laptop Battery



Power Tool Ryobi Lithium Battery-500

Upcoming Training

Date	Location	Type	Subject
2/28/2012	Richland, WA	Hazmat Transportation	General Packaging Requirements for the Transportation of Hazardous Material
2/28/2012	Richland, WA	Motor Carrier	Load Securement for Drivers and Traffic Personnel
2/29/2012	Richland, WA	Hazmat Transportation	Hazardous Material General Awareness Transportation Training
3/1/2012	Richland, WA	Motor Carrier	Hazardous Materials Driver's Training
3/6/2012 – 3/8/2012	Las Vegas, NV	IATA	IATA: Transportation of Dangerous Goods by Air Shipper Certification Training
3/7/2012	Richland, WA	Motor Carrier	Load Securement for Drivers and Traffic Personnel
3/13/2012 – 3/15/2012	Richland, WA	Hazmat Transportation	Advanced Radioactive Material Shipper Certification Training
3/14/2012	Tampa, FL	Hazmat Transportation	Transportation of Limited Quantities and Consumer Commodities by Air, Highway, and Vessel
3/15/2012	Tampa, FL	Hazmat Transportation	Transport of Lithium Batteries by Air/Highway

New Rulings in the Federal Register

On November 22, 2011 (76 FR 72082), the U.S. Nuclear Regulatory Commission (NRC) published a final rule amending its regulations in 10 CFR Parts 1, 9, 19, 20, 30, 35, 40, 52, 55, 60, 61, 70, 73, 110, 170 and 171 to make miscellaneous administrative changes, including updating the street address for its Region IV office (U.S. Nuclear Regulatory Commission, Region IV, Division of Nuclear Materials Safety, 1600 E. Lamar Blvd., Arlington, TX 76011-4511) and correcting an authority citation and typographical and spelling errors, and other edits and conforming changes. This rule was effective on December 22, 2011.



On December 2, 2011 (76 FR 75470), both the Federal Motor Carrier Safety Administration (FMCSA) and Pipeline and Hazardous Materials Safety Administration (PHMSA) published a final rule to amend the Federal Motor Carrier Safety Regulations (FMCSRs) and the Hazardous Materials Regulations (HMR) to restrict the use of hand-held mobile telephones by drivers of commercial motor vehicles (CMVs) and to implement new driver disqualification sanctions for drivers of CMVs who fail to comply. Additionally, motor carriers are prohibited from requiring or allowing drivers of CMVs to use hand-held mobile telephones. This rule was effective January 3, 2012. Additionally, FMCSA published a final rule on December 30, 2011 (76 FR 82179) to correct page 75487, in 49 CFR 390.3, paragraph (f)(1), correct “(g)(2)” to “(f)(2)”; and another final rule on January 12, 2012 (77 FR 1889) to amend 49 CFR 391.15, in paragraph (f)(1), by removing the removing “(g)(2)” and adding “(f)(2)” in its place.

On December 27, 2011 (76 FR 81134), the FMCSA published a final ruling to revise the hours of service (HOS) regulations to limit the use of the 34-hour restart provision to once every 168 hours and to require that anyone using the 34-hour restart provision have as part of the restart two periods that include 1 a.m. to 5 a.m. It also includes a provision that allows truckers to drive if they have had a break of at least 30 minutes, at a time of their choosing, sometime within the previous 8 hours. This rule does not change the current 11-hour, and the 60- & 70-hour limits. The rule changes that affect Appendix B to Part 386 - Penalty Schedule; Violations and Monetary Penalties; the oilfield exemption in § 395.1(d)(2); and the definition of on-duty time in § 395.2 have an effective date of February 27, 2012. Compliance for all the other rule changes is not required until July 1, 2013.



New Rulings in the Federal Register Cont'd

On December 28, 2011 (76 FR 81396), the PHMSA published a final ruling amending the HMR to correct errors in the pictorial display of labels, eliminates references to transitional provisions that were previously removed from the HMR, clarifies shipping paper amendments, corrects an editorial error, and extends the effective date of certain shipping paper amendments adopted in the July 20, 2011 final rule titled "Hazardous Materials: Miscellaneous Amendments" under Docket Number PHMSA-2009-0151(HM-218F) (76 FR 43510). These correcting amendments are effective December 28, 2011. A delayed compliance date of August 19, 2012 is authorized for shipping paper amendments in this final rule.

On December 30, 2011 (76 FR 82163), the Pipeline and Hazardous Materials Safety Administration (PHMSA) published a final rule with response to administrative appeals, provide clarifications, and correct typographical and other minor errors adopted in an international harmonization final rule published January 19, 2011 (HM-215K; 76 FR 3308). This final rule amends the Hazardous Materials Regulations (HMR) by revising, removing or adding proper shipping names, the hazard class of a material, packing group assignments, special provisions, packaging authorizations, packaging sections, air transport quantity limitations, and vessel stowage requirements. The changes were effective on January 1, 2012.

On January 27, 2012 (77 FR 4398), the PHMSA published a safety advisory notice to return radioactively contaminated tissue holders purchased from Bed Bath and Beyond identified as the Dual Ridge Metal tissue holder, model number DR9M. About 220 tissue holders sold in more than 200 stores were contaminated with the radioisotope Cobalt-60 during their manufacture in India. The highest identified radioactivity level on the surface of the tissue holders was approximately 20 mrem/hr, however most of the tissue holders showed much lower levels. Any person in possession of this item should call Bed Bath and Beyond at (800) 462-3966 or visit: www.bedbathandbeyond.com/tissueholdernotice.asp to obtain information about the proper return procedures.



On February 13, 2012 (77 FR 7562), the FMCSA announced its intent to move forward with the Electronic On-Board Recorders and Hours of Service Supporting Documents rulemaking (EOBR 2) by preparing a Supplemental Notice of Proposed Rulemaking (SNPRM). To augment the Agency's efforts to obtain comprehensive data to support this SNPRM, FMCSA plans to do the following: hold listening sessions on the issue of driver harassment; task the Motor Carrier Safety Advisory Committee (MCSAC) to assist in developing material to support this rulemaking, including technical specifications for EOBRs and their potential to be used to harass drivers; and conduct research by surveying drivers, carriers, and vendors regarding harassment issues.

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Recent Industry Issues



Placards are required on bulk packages for an exclusive use surface contaminated object shipment placed in a general design packaging. Should the placards be placed on a background of contrasting color? If the background is not contrasting, should someone have added a solid or dotted-line outer border per 49 CFR 172.516(c)(7)? Placards must also be visible in the direction they face per 172.516(a) and clear of any obstructions per 172.516(c)(2). Should we be careful where our tiedowns are orientated?

Is this for real? What are the tiedowns holding down? Was the right railcar used to hold the gravel from spilling out during transportation? How would you secure this type of material from shifting? Just when you think you have seen it all, a picture like this comes your way.



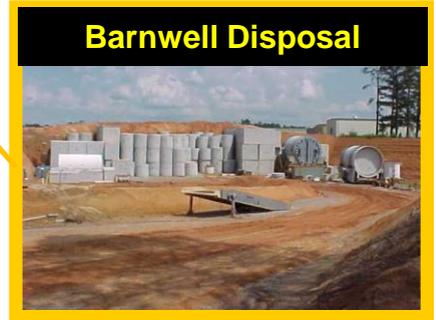
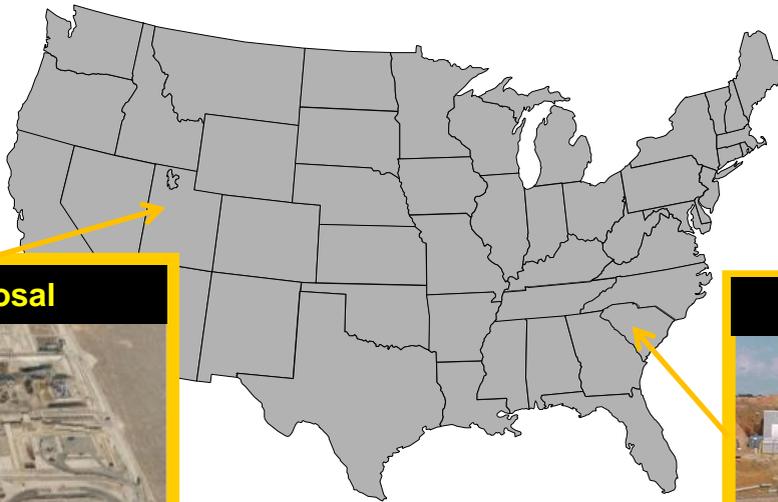
The orange panel is peeling off the tarp in this picture. Who is responsible for maintaining specification communications during transportation? Was a tarp the right choice for a durable surface to apply this marking? What can we do to prevent our markings and labels from falling off during normal conditions of transport?



2012 NRC/DOT Experienced Shipper Refresher Training

Mark your calendars for our 3-Day NRC/DOT Radioactive Waste Packaging, Transportation and Disposal Refresher classes. These also include an opportunity for Load Securing training on Monday and IATA for Radioactive Material training on Friday during the same week, plus an optional tour of the facilities you ship to at EnergySolutions.

<u>Hotel Class Location</u>	<u>Dates</u>	<u>Facility Tour Location</u>
Aiken, South Carolina	July 9 – 10, 2012	Barnwell Disposal
Salt Lake City, Utah	September 10 – 15, 2012	Clive Disposal



New Address for the EnergySolutions Columbia , SC Office

Our Columbia, South Carolina office has completed the move. Please make note of our new address: Suite 100, Center Point II, 100 Center Point Circle, Columbia, SC 29210. Our phone & fax numbers and email addresses are still the same.



2012 ERG Available Soon