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FINAL REPLY:

Les W. Bradshaw
Nye County
Department of Natural Resources
and Federal Facilities

TO:

Chairman Meserve

FOR SIGNATURE OF :

** PRI **

CRC NO: 02-0828

Chairman Meserve

DESC:

Full Scale Testing of Spent Fuel Transportation
Casks

ROUTING:

Travers
Paperiello
Kane
Norry
Craig
Burns/Cyr
Lohaus, STP
Merschhoff, RIV

DATE: 12/24/02

ASSIGNED TO:

CONTACT:

NMSS

Virgilio

SPECIAL INSTRUCTIONS OR REMARKS:

Template: SECY-017

E-RIDS: SECY-01



Nye County

Department of Natural Resources & Federal Facilities

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02-885-LB (L)

December 17, 2002

Richard Meserve, Chairman
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555-0001

Full Scale Testing of Spent Fuel Transportation Casks

Dear Chairman Meserve:

Nye County, Nevada would like to add its voice to that of the State of Nevada in calling for full-scale testing of each cask design as part of the Package Performance Study to be conducted for the Nuclear Regulatory Commission (NRC) by Sandia National Laboratories. Like the State of Nevada we do not feel that demonstration testing of representative transportation casks is sufficient.

We also join the State in calling for full stakeholder participation in such testing. We go further, however. In March of 2002, in response to an invitation to make suggestions with respect to the Advisory Committee on Nuclear Waste's (ACNW) future work program, I wrote to Chairman Homberger urging full-scale cask testing, and further urging that such full-scale testing be conducted in Nye County. See Attachment 1. There is a great deal of public concern and uncertainty surrounding this area, particularly regarding the integrity of shipping casks and their ability to withstand various accident scenarios. That concern was heightened by the events of September 11, 2001, and the possibility, albeit remote, of similar attacks on spent fuel and high-level waste shipments destined for Yucca Mountain. Complete openness and inclusiveness in any full-scale testing is essential to achieving public confidence. Conducting at least some of the tests in Nye County, the end point of all shipping campaigns, will go a long way toward addressing the legitimate concerns and questions of residents along transportation routes in Nye County, and those living in the immediate vicinity of Yucca Mountain.

Richard Meserve
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I urge you to give these views your most serious consideration, and to reevaluate the Commission's plan for limited transportation cask "demonstration" testing, in favor of full-scale testing, to be conducted in the vicinity of Yucca Mountain itself.

Sincerely,
NYE COUNTY, NEVADA



Les W. Bradshaw
Department Manager

Attachment: As stated

LB/m

cc: Jeff Taguchi, Chairman, Nye County Board of Commissioners
Joni Eastley, Vice Chairman, Nye County Board of Commissioners
Cameron McRae, Nye County Board of Commissioners
Henry Neth, Nye County Board of Commissioners
David Chavez, Nye County Manager
Dale Hammermeister, Nye County
George W. Hornberger, Chair, Advisory Committee on Nuclear Waste
Cash Jaszczak, Nye County
Abigail Johnson, Abigail C. Johnson Consulting, Carson City, NV
Josie Larson, Director, White Pine County, Ely, NV
Bob Loux, Executive Director, Agency for Nuclear Projects, State of Nevada
Rex Massey, Research and Consulting Services, Inc., Reno, NV
Linda Mathias, Administrator, Office of Nuclear Projects, Hawthorne, NV
George McCorkell, Program Director, Esmeralda County
Mal Murphy, Nye County
Irene Navis, Manager, Clark County Nuclear Waste Division
Andrew Remus, Project Coordinator, Inyo County
Paul Seidler, Robison/Seidler, Henderson, NV
David Swanson, Nye County
Jim Williams, Nye County



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March 14, 2002

02-184-LB (L)

George W. Hornberger, Chair
Advisory Committee on Nuclear Waste
U.S. Nuclear Regulatory Commission
Washington D.C. 20555-0001

Feed Back on the Advisory Committee on Nuclear Waste Performance

Dear Chairman Hornberger:

At the request of the Committee's staff we once again very gladly take the opportunity to provide our feedback on the Committee's performance, particularly the effectiveness of its interactions with Nye County, and to provide some suggestions for the work plan for the next three years.

The performance we in Nye County have observed in the last year has been quite satisfactory. While we have not had either the time or the resources to attend every meeting, the ones members of the Nye County Nuclear Waste Repository Office (NWRPO) staff or contractor team have attended have been on point and effective in critically examining important aspects of the Depart of Energy's (DOE) activities in the Yucca Mountain program, and the Nuclear Regulatory Commission (NRC) staff's oversight of those activities as well as its pre-licensing interactions with the DOE. We can say the same regarding the work product produced as a result of those meetings and the remainder of the Committee's work.

The same is true of our interactions with the Committee and its staff in our own very active oversight role as the prospective host county for any Yucca Mountain repository, as well as in our Independent Scientific Investigations Program. In fact, elements of a new 5-Year grant application the county recently submitted to the DOE were suggested by the Advisory Committee on Nuclear Waste (ACNW). We also appreciate the ACNW's continued commitment to meet at least once each year in Nevada, and encourage you to hold those meetings in Nye County.

We do have some suggestions for the Committee's future work program. First, we encourage you to continue your important work in the area of the quality and completeness of the DOE Total System Performance Assessment, particularly in the appropriate application of risk assessment principles. I am sure that is the position of others as well and will remain within your future work scope.

George W. Hornberger
March 14, 2002
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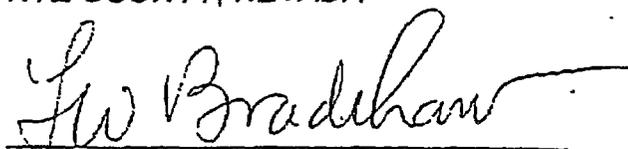
Regional hydrology, or the uncertainties surrounding flow downgradient from Yucca Mountain, remain important. We will be devoting a significant portion of our ISIP to that area, and encourage the ACNW to continue its work on the issues arising from those uncertainties as well.

Now that it appears that Yucca Mountain may be moving into a pre-licensing phase, design of the potential repository, and particularly ventilation, or the difference between the High Temperature Operating Mode (HTOM) and Low Temperature Operating Mode (LTOM) takes on even more significance. We strongly encourage the Committee to look closely at this area in your future work.

Finally, transportation, and particularly cask safety, is an area of very great, and growing, public concern. There is, as you are well aware, a great deal of conflicting information constantly brought to the public's attention on the ability of shipping casks to withstand certain accident scenarios. This concern has, of course, been heightened in light of the 2001 terrorist attacks, and the possibility of similar attacks on spent fuel and high-level waste shipments destined for Yucca Mountain. I think it would be very useful for the ACNW to devote time to examining this area in the next three years, before any transportation campaign actually commences. Indeed, I would urge you to consider going so far as to hold, or sponsor, a full-scale cask test, or demonstration, in Nye County, in order to address the concerns and questions of the residents along the potential transportation routes, and those in the immediate vicinity of Yucca Mountain.

I appreciate the opportunity to provide this input, and look forward to continuing Nye County's productive relationship with the ACNW in the coming year.

Very truly yours,
NYE COUNTY, NEVADA



Les W. Bradshaw
Department Manager

LB/vt

cc: Nye County Commissioners
Nye County Manager
Mal Murphy
Dale Hammermeister
Richard Savio (ACNW Staff)