



WORLD NUCLEAR TRANSPORT INSTITUTE

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WNTI REF: LG/03/NRC/L/086

28 May 2003

Mr. Mike Lesar  
Chief, Rules Review and Directives Branch  
U.S. Nuclear Regulatory Commission  
Mail Stop T-6-D-59  
Washington, DC 20555-0001  
U.S.A.

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68 FR 8530  
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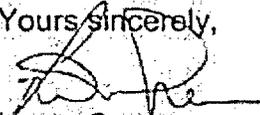
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2003 MAY 28 PM 12:21  
Rules and Directives Branch (NRC)

Dear Mr. Lesar:

I am writing in response to the Nuclear Regulatory Commission's invitation to comment on the report on the proposed NRC Package Performance Study (PPS), report number, Draft NUREG-1768. The World Nuclear Transport Institute (WNTI), representing companies committed to safe, efficient and reliable transport of radioactive materials, appreciates this opportunity to comment as per the attached.

With kind regards.

Yours sincerely,

  
Lorne Green  
Secretary General

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Add = A. Snyder (AM53)  
A.S. Murphy (A5M1)



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**WORLD NUCLEAR TRANSPORT INSTITUTE (WNTI)  
COMMENTS ON THE PROPOSED NRC PACKAGE PERFORMANCE STUDY  
(PPS)**

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We have reviewed Draft NUREG 1768 and wish to convey our concern at the outcome should the Study be carried forward as presently proposed. By way of background, it is well known that transports of radioactive materials (for medical, industrial and research applications) are conducted internationally within a safety regulatory regime based upon International Atomic Energy Agency (IAEA) Transport Safety Regulations. These Regulations are developed on the basis of international, including United States, consensus on expert recommendations. Front-end nuclear fuel cycle materials represent one important segment of radioactive materials transport with thousands of containers being transported world wide in accordance with the international transport safety regulatory regime. There also is long experience internationally with the safe transport of back-end fuel cycle materials including spent fuel, high level waste and recycled MOX fuel within the transport safety regulatory regime.

The United States has from the outset played a major part within the IAEA in developing international standards and regulations for the safe transport of radioactive materials. The United States' own radioactive materials transport regulations (10 CFR 71), are consistent with the IAEA Regulations. This major achievement of having an expert-based internationally recognised set of rules is of the utmost importance to the safety and the growth of nuclear energy as an essential component of the world's energy mix.

We believe that the proposed Package Performance Study (PPS) could jeopardise this achievement if it goes forward as proposed, in particular because:

- questioning established and proven approaches well founded in expertise casts a doubt on these approaches. The United States, as a major reference-setting participant in the international transport safety regulatory regime, should not risk as a consequence of the PPS as proposed to call into question the reliability of proven, safe transport systems internationally;
- a demonstration intended to build public confidence should represent dramatic "real-life" potential adverse events, but should not be carried to a failure that would be the only outcome to reside in public recollection;
- a benchmarking test and/or a study of failure work may be of interest, but should be treated entirely separately from the effort at public confidence-building; in short, these should be strictly scientific experiments.



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When considering the outcome of potential accidents, the issue should not be what becomes of the package but rather, what consequences to the public might emanate from such an accident under realistic conditions for recovery and civil protection measures.

In summary, the World Nuclear Transport Institute (WNTI), representing the fuel-cycle transport industry world wide committed to safe transport within the well-founded international transport safety regulatory regime, wishes to underline its view that the proposed PPS could have adverse international consequences on current essential transport operations and public confidence, and indeed, could affect transport flows that are essential to the operation of United States' industry.

Accordingly, we recommend that the PPS be reconfigured into two separate sets as follows:

- public confidence-building by staging a spectacular demonstration event which leads to no failure of the package and avoids unintended consequences;
- purely scientific tests designed solely to prove the validity of 10 CFR 71.

(end text)

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