

July 16, 2003

George M. Hornberger, Chairman
Advisory Committee on Nuclear Waste
Mail Stop T-2-E-26
Washington, DC 20555-0001

SUBJECT: TRANSPORTATION WORKING GROUP MEETING, APRIL 2003

Dear Chairman Hornberger:

I am responding to your letter of June 4, 2003, to Chairman Diaz. I would like to express the U.S. Nuclear Regulatory Commission (NRC) staff's appreciation for the Advisory Committee on Nuclear Waste's (ACNW's) efforts to foster discussions on spent fuel transportation issues, including the November 2002 and April 2003 workshops. We stand ready to continue to support ACNW in these efforts.

The NRC staff attended the April 2003 workshop and agree with your assessment that there was no information presented that indicates NRC transportation regulations are inadequate. The State of Nevada's (hereafter, State's) consultants' concerns with fire temperatures revolved around evaluating cask performance in severe fires (e.g., the differences in NRC's and the State's Baltimore Tunnel Fire studies) rather than questioning the regulatory requirements. The staff met with the State's consultants on May 8, 2003. A meeting summary is available through NRC's Public Electronic Reading Room, on the Internet, at <http://www.nrc.gov/reading-rm/adams/web-based.html> (ADAMS Accession No. ML031400892). There are currently no planned additional interactions, but we are in the process of performing additional analyses and are open to discuss our final analyses with the State.

The NRC staff understands ACNW's views on the Package Performance Study (PPS) and its full-scale cask testing objectives. We are currently evaluating the public comments received and plan to keep ACNW updated on our comment resolution progress and resultant recommendations.

Regarding ACNW's comments on (NUREG/CR-6672), "The Reexamination of Spent Fuel Shipment Risk Estimates," the staff also believes that NUREG/CR-6672 is conservative, but the staff does not believe the conservatism over-estimate releases by several orders of magnitude. However, NUREG/CR-6672 significantly reduced the level of conservatism, compared with previous transportation studies and reaffirmed the conclusions of earlier environmental risk assessments; namely, that the transportation regulations were adequately protective, with modern input assumptions. The calculated values of risk are extremely low. Further, since the study needed broad applicability for the wide range of shipping options possible, some variables and assumptions were necessarily conservatively selected. Although the conservatism in the report could be beneficial in licensing proceedings, the conservatism and the basis for the conservatism could be confusing for public communications efforts. The staff recognizes the importance of considering the context of the modeling, analysis and

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assumptions in the report when referencing it. Note that the PPS fuel experiments, which are now on hold, were designed to address the degree of conservatism in the NUREG/CR-6672 release modeling.

If you have any questions, please feel free to contact me at 301-415-8580 or Bill Brach and his staff in the Spent Fuel Project Office.

Sincerely,

/RA/

William D. Travers
Executive Director
for Operations

cc: Chairman Diaz
Commissioner McGaffigan
Commissioner Merrifield
SECY

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Sincerely,
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William D. Travers
Executive Director
for Operations

cc: Chairman Diaz
Commissioner McGaffigan
Commissioner Merrifield
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