



Cook

NUCLEAR WASTE PROJECT OFFICE

86 JUN 18 P5:08 Capitol Complex
Carson City, Nevada 89710
(702) 885-3744

June 10, 1986

WM Record File

102-3

WM Project 11

Docket No. _____

PDR

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Distribution:

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Mr. Richard E. Cunningham, Director
Fuel Cycle and Material Safety
Division
Office of Nuclear Material Safety
and Safeguards
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Dear Mr. Cunningham:

Enclosed please find a copy of a letter from Governor Bryan to Tom Clark, Director of the Nevada Operations Office of the U.S. Department of Energy, regarding shipments of spent fuel from Nevada to Idaho, as we discussed.

Should you have any questions, please do not hesitate to contact me.

Sincerely,

Robert R. Loux
Executive Director

RRL/gjb

Enclosure

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PDR WASTE PDR
WM-11

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THE STATE OF NEVADA
EXECUTIVE CHAMBER

Carson City, Nevada 89710

RICHARD H. BRYAN
Governor

TELEPHONE
(702) 865-6670

May 20, 1986

Mr. Thomas Clark, Manager
Nevada Operations Office
U.S. Department of Energy
P.O. Box 14100
Las Vegas, NV 89114-4100

Dear ~~Mr. Clark~~ *Tom*

The State of Nevada was recently notified that the U.S. Department of Energy intends to make six (6) shipments of non-classified spent nuclear fuel from the E-MAD facility at the Nevada Test Site to the Idaho National Engineering Laboratory.

The Courtesy communication provided by Max Tuska of EG&G Idaho, Inc. to John Vaden in the Nevada Division of Health has been useful as a preliminary indication of DOE's intent to conduct these shipments. However, the information contained in Mr. Ruska's notification is insufficient to assure the State that the health and safety of Nevada's citizens will be protected during all phases of the operation.

In order for the State to carry out its responsibilities, I am asking that DOE conduct its shipping in conformance with the following provisions:

(1) Specific prenotification to the designated State representative at least two weeks in advance of the first shipment. Such prenotification should include:

- Specific dates, times, and routes for each shipment;
- Specific routes for each shipment, including what designations, if any, have been made for authorized stopping points within Nevada and/or any provisions for deviating from established routes.

- Documentation that the routes selected conform to the requirements of 49 CFR 177.825 in that they "minimize radiological risk" and that the carrier has considered "available information on accident rates, transit time, population density and activities, time of the day and day of week during which transportation will occur";
 - Documentation that each shipping container to be used has been certified by the Nuclear Regulatory Commission (NRC) and meets all required safety criteria;
 - A statement that DOE will abide by all pertinent State and local transportation laws, regulations and ordinances (we understand that Clark County, the City of Las Vegas and the City of North Las Vegas have specific ordinances pertaining to hazardous materials transportation);
 - A statement clearly describing how and to what extent liability will be assigned in the event of an accident involving the release of radiation;
 - A description of the emergency response planning that has been done to assure adequate response capability in the event of an accident/incident, including a description of how federal, State and local emergency response functions have been integrated;
 - Details of each shipment including truck weights, documentation of vehicle and driver certifications for the conduct of such shipment, and other information necessary for State inspection personnel adequately assess vehicular safety considerations;
- (2) The Nevada Department of Transportation (NDOT) will review the proposed routing of these shipments and reserves the right to make recommendations which would enhance safety considerations.

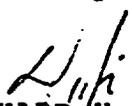
- (3) That inspection and enforcement personnel will be allowed to inspect each shipment (a) at the point of origin; and (b) prior to the shipment's exiting of State boundaries.
- (4) DOE will obtain from the NDOT permits for the use of overweight trucks if shipments are to be made using vehicles which exceed normal weight specifications.
- (5) Nevada Highway Patrol personnel must escort each shipment from the boundary of the Nevada Test Site to the point where the shipment exits the State.
- (6) Shipments should be scheduled so that transit of heavily populated areas occurs only at times of the day when traffic along identified shipping routes is minimum.
- (7) The Nevada Division of Emergency Management and local emergency response authorities will be notified of each impending shipment no later than 24 hours before such shipment leaves the Nevada Test Site.
- (8) DOE must report any irregularity in the shipping operation to the designated State representative no later than 48 hours after the occurrence of such irregularity, regardless of whether or not the irregularity occurred in Nevada or elsewhere along the shipping route.
- (9) Following completion of the final shipment, DOE will provide the State with a report indicating whether or not each shipment went according to plan, describing any problems or unexpected occurrences, and formally advising the State that the shipping program has been terminated.
- (10) If changes occur in shipping schedules or other information pertinent to this notification, the designated State representative must be notified at least 48 hours in advance of any such changes, or as soon as possible in the event of

Thomas Clark

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Thank you for your attention to these matters. I cannot overemphasize the importance the State of Nevada places upon the safe implementation of these spent fuel shipments, a goal we doubtless share with your staff at DOE.

Sincerely,


RICHARD H. BRYAN
Governor

RHB/dkl

cc: Dr. Donald Vieth