

May 10, 2006

The Honorable Christine Kehoe
California Senate
Sacramento, California 95814

Dear Ms. Kehoe:

On behalf of the U.S. Nuclear Regulatory Commission (NRC), I am responding to your letter dated March 22, 2006, in which you asked whether a truck carrying Low Specific Activity (LSA) radioactive waste water from the San Onofre Nuclear Generating Station (SONGS) to a licensed waste disposal facility in Utah may have leaked in locations along the transport route other than the location in Utah where the leakage was found. Your letter requested information regarding NRC's investigation of this incident and that the results of the investigation be made publicly available. NRC's preliminary assessment of the incident indicated that it did not pose a threat to the health and safety of the public nor the environment in any of the states involved in the transport route. Additional work is in progress, both by NRC and by the U.S. Department of Transportation (DOT), to review the circumstances that led to this incident.

Regulating the safety of LSA waste shipments is the joint responsibility of the NRC, its Agreement States, and the DOT. The NRC establishes requirements for the design and manufacture of packages for shipment of radioactive materials. The DOT regulates the shipments while they are in transit and sets standards for labeling and the design requirements for smaller quantity packages, such as the one used in this shipment. Because of the potential for leaks or spills from packages transporting liquids, DOT allows bulk shipment of radioactive material in liquid form only in concentrations that are termed "Low Specific Activity." This term refers to materials in which the radioactivity is distributed throughout a large mass so that the overall concentration of radioactivity in the material is very low. During transport activities, the concentration of this type of radioactive material is so low that it is highly unlikely to result in a significant radiation exposure to a member of the public even if a leak were to occur. However, a spill or leak of the material could result in some low-level contamination that can be safely removed.

In the specific case of the SONGS shipment, which occurred on February 22-23, 2006, the driver performed walk-around inspections of the truck and package twice before arriving at the Parowan, Utah, truck stop. These inspections were conducted at vehicle scales in Ontario, California and at a fuel stop north of Las Vegas, Nevada. The driver did not observe any leakage of the package during these inspections. At the truck stop in Parowan, Utah, the driver noticed leakage from the package and subsequently moved the truck away from the gasoline pumps to an adjacent parking area. The SONGS licensee, Southern California Edison (SCE) and the State of Utah, Division of Radiation Control, dispatched teams to perform radiological surveys of the potentially impacted areas. The surveys identified two distinct areas of low-level contamination on the ground, one at the gasoline pumps and the second at the area to which the truck was relocated. Both areas were roped off and subsequently decontaminated to background levels. The State of Utah independently confirmed the surveys performed by SCE

prior to returning these areas of the truck stop back to service. SCE and the State of Utah's Division of Radiation Control also independently performed extensive surveys of the highway exit ramp and stop sign area prior to the truck stop. No contamination was identified. The highway exit ramp was the area that had the highest potential for contamination if leakage had begun prior to this stop. In addition, information from the waste disposal site indicates that the volume of liquid removed from the transportation package when it was emptied was in close agreement with the initial volume shipped, further indicating that the leakage volume was small. The NRC believes that this information, combined with the prior vehicle checks showing no leakage in California and Nevada, provides a sufficient basis to conclude that little or no leakage occurred prior to the truck's arrival at Parowan, Utah.

The DOT began an inspection of the transport company, Triad Transport Company, and the tank package manufacturer, Eurotainer, in March 2006. DOT has stated that it will issue its findings of this inspection in a publicly available report that you may request from Mr. James Wiggins, Associate Administrator for the Office of Governmental and Public Affairs for the DOT's Pipeline and Hazardous Materials Safety Administration. NRC performs inspections of shippers to ensure compliance with requirements for transportation package users, including whether shipping packages have been properly inspected and are safe for transport. The NRC has scheduled an inspection of SONGS for the week of May 8, 2006, and will make the inspection report publicly available through the NRC website (www.nrc.gov). A copy of the report will be sent your office.

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

Sincerely,

/RA/

Nils J. Diaz