

From: "Toni McCammon" <tmccammon@westgov.org>
To: <nrcprep@nrc.gov>
Date: Fri, Feb 8, 2008 6:36 PM
Subject: WGA letter on NRC Security Rulemaking

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Attached is a letter from the Western Governors' Association on NRC Security Rulemaking.

Thank you

Toni McCammon
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CC: "Alex Schroeder" <aschroeder@westgov.org>

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February 8, 2008

Rules and Directives Branch
Office of Administration
U.S. Nuclear Regulatory Commission
Washington D.C. 20555-0001

RE: U.S. Nuclear Regulatory Commission's (NRC) proposed rulemaking on security requirements for the transportation of Radioactive Material in Quantities of Concern (RAMQC) announced in the Federal Register on January 4, 2008

To Whom It May Concern:

On behalf of the Western Governors' Association (WGA) Radioactive Waste Transportation Technical Advisory Group (TAG), we commend the NRC on the public process that has been put forth in the proposed rulemaking and believe this type of discourse promotes effective rulemaking through broad stakeholder inclusion. We strongly support NRC's efforts to enhance the safety and security of the transportation of RAMQC.

The Western Governors are committed to the safe and uneventful transportation of radioactive waste. WGA and its energy arm, the Western Interstate Energy Board (WIEB), have a long history of working cooperatively with the U.S. Department of Energy (DOE) in developing its transportation safety and security programs for radioactive waste shipments associated with cleaning up DOE sites and for the disposal of commercial spent fuel and high-level defense waste. Because the current rulemaking to enhance RAMQC transport security has implications for the state agencies that are responsible for regulating the safety and security of transporting radioactive materials, the Western States request that the NRC consider the following comments:

- 1) All shipments of RAMQC passing through the U.S. should be held accountable to the same safety and security requirements, regardless of whether these shipments originate or terminate inside or outside the U.S. Consistent security enhancements are needed for all RAMQC shipments, including transshipments to and from foreign countries, being transported through the U.S.
- 2) In many cases, adoption of the proposed rule under NRC's authority to protect public health and safety would greatly assist the states in their enforcement role.
- 3) We support NRC's consideration of security enhancements in the seven categories identified in the materials distributed at its Jan. 17 and Jan. 23 public meetings. This comprehensive approach is likely to be more effective than a more narrowly-focused regulation.

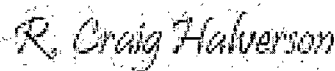
- 4) We support NRC's efforts to reevaluate the security requirements for RAMQC shipments to ensure protective measures are consistent with the latest intelligence on terrorist threats. We recommend this assessment address all components of the handling and transport system for RAMQC shipments including the potential theft, sabotage or terrorist attack on a shipment.
- 5) WGA Policy Resolution 07-02 addresses the safety and security of spent fuel shipments and makes recommendations to enhance their security (Please see the attachment). We urge NRC to consider these recommendations as NRC enhances security requirements for spent fuel and high-level waste shipments in current or future rulemaking.

Thank you for the opportunity to provide comments. We look forward to future involvement as this rulemaking progresses. If you have any questions regarding these comments, please contact Alex Schroeder (WGA) or Jim Williams (WIEB) at 303-623-9378.

Sincerely,



Anne deLain W. Clark
State of New Mexico
Co-Chair
WGA WIPP Technical Advisory Group



R. Craig Halverson
State of Idaho
Co-Chair
WGA WIPP Technical Advisory Group