



# Houston Lighting & Power Company

Electric Tower  
P.O. Box 1700  
Houston, Texas 77001

DOCKET NUMBER  
PROPOSED RULE

PR - 73 (44FR 34466) <sup>(34)</sup>

August 15, 1979  
NSL-71



Mr. Samuel J. Chilk  
Secretary of the Commission  
U. S. Nuclear Regulatory Commission  
Washington, D. C. 20555

ATTN: Docketing and Service Branch

Re: 10CFR73 Interim Final Rule, "Physical Protection of Irradiated Reactor Fuel in Transit" (44FR34466-68, 6/15/79)

Dear Sir:

Houston Lighting & Power Company has reviewed the 10CFR73 interim final rule, "Physical Protection of Irradiated Reactor Fuel in Transit" published at 44FR34466-68 on June 15, 1979. An attachment is provided with our comments which are offered for your consideration for use in formulation of the final rule.

The majority of our comments concern the practical aspects of the number and training of transport vehicle escort personnel, the routing of the spent fuel shipments and the maintenance of effective communications with local law enforcement agencies.

These comments are discussed in detail in the attachment to this letter. Please feel free to contact us should you have any questions.

Very truly yours,

*Jon G. White*

Jon G. White, P. E.  
Supervising Engineer  
Nuclear Safety & Licensing

BAN/jsp

Attachment

cc: E. A. Turner  
W. M. Menger  
B. Perkowski  
R. P. Murphy

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ATTACHMENT

HL&P Comments on 10CFR73 Interim Final Rule, "Physical Protection of Irradiated Reactor Fuel in Transit"

1. Comments on escort requirements:

- (a) The rule is misleading in stating the minimum number of escorts required. Although only one escort is specified as necessary for either a truck or rail shipment, the provisions of the rule for constant surveillance of the transport vehicle mandate that more escorts will be required for trips of more than one day's duration. On trips exceeding the period of a normal work day, some relief will be necessary for the escorts and for the drivers of transport vehicles. For reasons of efficiency and safety, neither should be required to perform multiple consecutive shifts of duty. The problem is not readily solved by adding relief escorts and drivers traveling together. Unless the relief crew is able to get sufficient rest, they will not be alert enough to serve a shift of duty. The relief crew must be provided such facilities either in the transport and/or escort vehicle. An alternative would be to arrange to have relief crews waiting at predesignated locations along the route. However, this would create a logistical problem in addition to the obvious increase in the numbers of personnel required to handle such a shipment. Thus, the rule should give more consideration to realistic escort manpower and logistical requirements for shipments of more than one day's duration.
- (b) The rule makes no specific requirements that the driver of a transport vehicle be trained and qualified as an escort. From a practical viewpoint, this individual should have sufficient training to act as an escort in the event of an emergency, and the rule should be revised to allow this as an option to the licensee.
- (c) A minimum escort requirement is difficult to determine for all types of postulated attacks on spent fuel shipments. Therefore the rule should be revised to place greater emphasis on the ease and ability to immobilize the transport vehicle, particularly the transport trailer/railcar, in a manner to render the actual theft and removal of the spent fuel shipment extremely difficult. This would provide effective protection and allow reductions in the numbers of escorts necessary.

2. Comments on routing of shipments:

- (a) The rule states that shipments should avoid heavily populated areas whenever possible. This may require shipment of spent fuel along less well-traveled and well-maintained highway routes. Thus, the rule should give consideration to the benefits of avoiding populated areas along with the additional risks of transportation accidents from traveling on less well-maintained highway and rail routes.

- (b) The NRC should conduct a survey of the federal and state statutes and local ordinances which would be applicable to spent fuel shipments along the probable routes of these shipments. A compilation of this reference material in a manner similar to that which has been done in designating the densely populated areas to be avoided by spent fuel shipments would be convenient. This compilation could be utilized in meeting escort training requirements and to assist in development of new or alternate shipping routes more readily.

3. Comments on communication requirements:

- (a) The rule specifies that the transport or escort vehicles be equipped with radiotelephone equipment and that calls be made at least every two hours to a designated location. However, radiotelephone equipment generally has a range limited to no more than twenty miles. There are many areas throughout the country in which this limited range would be inadequate to assure continuous communication with the operators who would be essential in the completion of calls using their equipment. Hence, reliable communications apparently could not be assured using radiotelephone equipment for the entire route of an extended trip. In addition, the requirement for the use of citizens band (CB) radio seems impractical. It is not reasonable to expect citizens most likely to receive CB transmissions to become involved in an emergency situation. While CB radios may be useful as relaying stations for less serious matters such as requests for assistance for mechanical breakdowns, there can be no assurance that the CB contacts will be available continuously. Thus, the NRC should investigate alternate means of communication for inclusion in the rule other than the CB/radiotelephone combination.
- (b) The rule requires arrangements to be made with law enforcement agencies for assistance or response to an emergency. Under FCC regulations the licensee would not be permitted to transmit on any of the numerous frequencies which will be utilized by the various law enforcement agencies through whose jurisdiction the shipments can be expected to travel. Similarly, those agencies would have no authority to transmit on the frequencies utilized by the licensee. The NRC should consult with the FCC in order to determine a workable arrangement for communications between a licensee and local law enforcement agencies.