

PROJECT NUMBER

PROPOSED RULE PR-93

(45 FR 81060)

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March 5, 1981

CRJ/81/29/ETS



Secretary of the Commission
U. S. Nuclear Regulatory Commission
Washington, D. C. 20555

Attention: Docketing and Service Branch

Reference: Proposed Rulemaking Covering Advanced Notification
to Governors Concerning Shipments of Irradiated
Reactor Fuel, Federal Register, Vol. 45, No. 238

Gentlemen:

The proposed amendment to 10CFR Part 73 requiring notification of the Governors of states through which transport of spent nuclear fuel is anticipated is considered to be a costly and unnecessary burden on the licensee and the Governor's office, without commensurate benefit to the public's safety. The notification in writing postmarked seven days before transport of a shipment within or through a state listing routes, identifying the shipper, and describing the shipment is considered to be information of little value to the Governor, except possibly for his alerting emergency personnel along the route that such a shipment will be forthcoming. If the schedule and routing information is disseminated to emergency personnel, there is a high probability that security of the shipment will be compromised, even though statements to the effect that substantial civil penalties for unauthorized disclosure of the information could be assessed. We, therefore, seriously question the advisability of prenotifying the Governors of spent fuel shipments that will be going through their states and recommend that the proposed amendment not be instituted.

In the event that the recommendation stated in the previous paragraph is not accepted, we believe that renotification of schedule changes of more than six hours is burdensome, impractical, and costly and will have no beneficial effect on the health and safety of the public for the same reasons that we believe the initial notification is undesirable. Additionally, this renotification requirement would place an undue and impractical burden on the licensee and on the carrier, especially in multiple-state shipments. For a single shipment, initial notification and renotification may not be

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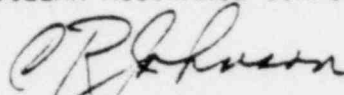
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considered an impractical regulatory requirement; however, in the future when it is expected that shipments of spent nuclear fuel will be made on a wholesale basis using tractor trailer and railroad equipment, prenotification and renotification will become an extremely impractical burden on all concerned.

Your favorable consideration of our comments and concerns will be appreciated.

Very truly yours,

NUCLEAR ASSURANCE CORPORATION



Charles R. Johnson
Vice President
Engineering and Transportation Services

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