



Commonwealth Edison
 One First National Plaza, Chicago, Illinois
 Address Reply to: Post Office Box 767
 Chicago, Illinois 60690

DOCKET NUMBER

PROPOSED RULE

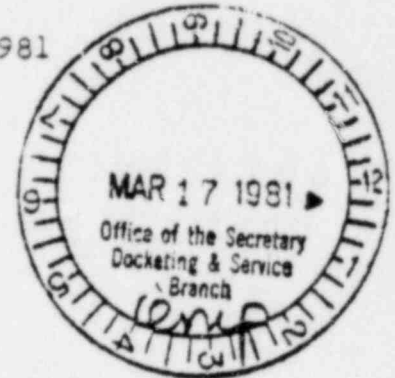
PR-94

(45 FR 81058)

44



March 11, 1981



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

Attention: Docketing and Service Branch

Subject: Proposed Rulemaking "Advanced Notification to States of
 Transportation of Certain Types of Nuclear Waste" 45 FR 81058
 December 9, 1980.

Dear Sir:

Commonwealth Edison has reviewed the proposed rulemaking and
 offer the attached comments. We appreciate having been given the
 opportunity to comment.

J. S. Abel
 J. S. Abel
 Director of Nuclear Licensing

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Commonwealth Edison Comments
Proposed Rulemaking "Advanced Notification of
States of Transportation of Certain Types of Nuclear Waste"
45 FR 81058 December 9, 1980

The proposed regulation would require licensees to notify the governors of every state involved that a Type B quantity shipment would pass through enroute to the burial site. The discussion section mentions the fact that the vast majority of shipments made are classified as LSA, and consequently pose no significant hazard to public health and safety. This appears to imply that they would be exempted from the notification requirements. However, although most of Commonwealth Edison's shipments are classified as LSA, the quantities involved are generally Type B quantities of LSA material. Therefore the NRC requires that we ship LSA type B quantity barrels in Type B casks or Type A casks which are licensed to carry Type B quantities. It appears that Type B quantities of LSA material in Type A casks would not be exempt from the notification requirements. In 1980 approximately 550 radwaste shipments of Type B quantities left our stations in Type A casks certified to carry Type B quantities of LSA material. This notification requirement would be very time consuming since it would involve at least 90% of our shipments which are sent to Barnwell, South Carolina. In 1981 we would expect the same number of shipments of Type B quantities of LSA material. Clarification must be made that only large quantity Type B shipments require notification of States.

The discussion section of the Federal Register notice (45 FR 21059) provides no specific value/impact evaluation of the proposed rules. In fact, the discussion states that "...NUREG-0170, the Final Environmental Statement on the Transportation of Radioactive Material by Air and Other Modes...indicates that the potential risk is small..." The impact on licensees will not be small, however, considering the number of waste shipments of this type and the administrative burden imposed by the notification requirements State agencies will also be impacted with additional administrative burdens. It does not appear that the reduction of an already small potential risk is worth the large amount of work necessary to make the required notifications.