

TERA

STATE OF KANSAS



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(45 FR 81058) 52

OFFICE OF THE GOVERNOR  
State Capitol  
Topeka 66612

PROPOSED RULE PR-73 (45 FR 81058) 53

John Carlin Governor

March 10, 1981

John F. Ahearne, Ph.D., Chairman  
United States Nuclear Regulatory Commission  
Washington, D. C. 20555

Attn: Secretary of the Commission  
Docketing and Service Branch



Gentlemen:

Chairman Ahearne's letter of January 16, 1981, and the proposals enclosed with it regarding notification of shipments of radioactive waste within or through Kansas have been reviewed.

In general, this office would be interested in the offered prior notification of shipments of irradiated nuclear fuel and significant quantities of nuclear waste. In order for such notification to be most effectively handled, there should be a procedure for the state to designate the person or persons within state government who are to actually receive the notification.

Two additional items also appear to require some clarification.

First, while the state may be able to provide the 10-day delay in public release of information about shipment of irradiated fuel, it should be clear that the argument presented in the proposal is applicable only to irradiated fuel. No effort has been made by this office to determine whether any similar delay will be possible for other shipments.

Second, the 10-day delay relative to a "series of shipments whose schedules are related" appears to lack clarity concerning the way in which shipments are related. Shipping of irradiated fuel from a single commercial nuclear power reactor may occur over a period of months or years as the fuel is used and some facilities of this type may have a large number of irradiated fuel elements stored ready for shipment. The fact that these shipments originate from a single facility should not be used as an excuse to withhold from the public for an excessive period information describing

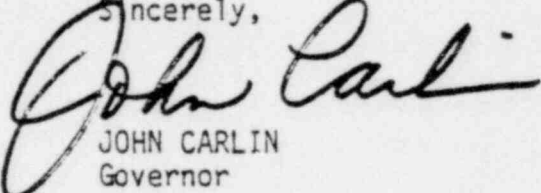
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previous shipments from that facility. Such a problem could be conveniently avoided by simply providing that after a maximum of perhaps one month the data automatically becomes public information. Any future shipping schedules which might be deduced from the release could be changed or not depending upon the needs for security.

Thank you for this opportunity to comment on the proposal. It is hoped that the suggestions made are helpful in your deliberations. It is extremely important that both the state and the federal agencies involved provide the best available protection and safety for the citizens of this state and the country. Such is the goal of Kansas and, we are sure, of the U. S. Nuclear Regulatory Commission.

Sincerely,  
  
JOHN CARLIN  
Governor

JC/JFH/ob

CC: Secretary Joseph F. Harkins,  
Dept. of Health and Environment