



OFFICE OF THE  
SECRETARY

July 3, 1980

**POOR ORIGINAL**

MEMORANDUM FOR: William C. Dircks, Acting EDO

FROM: Samuel J. Chilk, Secretary *(Signature)*

SUBJECT: SECY-80-245/245A - WITHHOLDING OF NRC SPENT FUEL ROUTE  
INFORMATION FROM PUBLIC DISCLOSURE  
(COMMISSIONER ACTION ITEM)

The Commission has reviewed the subject paper and requests the staff to review the FY 80 Authorization Bill and appropriate legislative language and revise the recommendation as appropriate, and resubmit the matter for the Commission's further consideration. (SECY Suspense: 7/18/80)

cc:  
 Chairman Ahearne  
 Commissioner Gilinsky  
 Commissioner Hendrie  
 Commissioner Bradford  
 Commission Staff Offices  
 Director, Nuc Mat Safety & Safeguards

CONTACT:  
 SJSParry (SECY)  
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September 16, 1980

UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D. C. 20555

SECY-80-245B

## INFORMATION REPORT

For: The Commissioners

From: William J. Dircks, Director  
Office of Nuclear Material Safety and Safeguards

Thru: Acting Executive Director for Operations *WJ Dircks*

Subject: SECY-80-245/245A WITHHOLDING OF NRC SPENT FUEL ROUTE  
INFORMATION FROM PUBLIC DISCLOSURE

Purpose: To inform the Commission on an intended staff action.

Discussion: As requested in the Secretary's memorandum of July 3, 1980, the staff has reviewed its recommendation in SECY-80-245/245A in light of the Nuclear Regulatory Commission Authorization Act for Fiscal Year 1980 (P.L. 96-295) which became law on June 30, 1980.

Public Law 96-295 includes provisions that effectively preempt the alternatives recommended by the staff for the release of spent fuel shipment routing information. Specifically, P.L. 96-295, Section 207, states that "Nothing in this Act shall authorize the Commission to prohibit the public disclosure of information pertaining to the routes and quantities of shipments of source material, by-product material, high level nuclear waste, or irradiated reactor fuel"; and Section 301 requires that the NRC assure that timely notification is provided to state governors prior to the transport of nuclear waste, including spent fuel, through or across their respective states.

Staff's original recommendation was to publish periodically NUREG reports containing maps of only the interstate highway segments of such routes. Nothing in P.L. 96-295 precludes this but in fact precludes any other alternative. Staff action currently underway will result in periodic NUREG reports consisting of maps of the United States showing approved spent fuel routes, the quantities of shipments made over these routes, and an introductory statement to distinguish between the safety and safeguards aspects of these shipments. Preliminary versions of these reports will be sent to governors' offices and will form the basis for FOIA responses. Shipment-specific routes,

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schedules, and security details will continue to be withheld from public disclosure. The staff will implement this program in the near future.

In regard to P.L. 96-295, Section 301, which deals with notification of state governors, detailed procedures and appropriate regulatory amendments are being developed for Commission consideration by a separate staff action.

In summary, since review of the FY80 Authorization Bill requires disclosure, staff proposed to make that disclosure along the lines of alternative 3 of SECY-80-245 without further discussion by the Commission since no other option exists. In regard to the additional requirement to notify state governors, a paper will be provided to the Commission shortly.

Coordination: The Office of the Executive Legal Director has no legal objection to the intended course of action. The Office of State Programs concurs in this paper.



William J. Dircks, Director  
Office of Nuclear Material Safety  
and Safeguards

DISTRIBUTION

Commissioners  
Commission Staff Offices  
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ACRS  
Secretariat

UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D. C. 20555

**INFORMATION REPORT**

October 2, 1980

SECY-80-245C

For: The Commissioners

From: John G. Davis, Director  
Office of Nuclear Material Safety  
and Safeguards *W. Davis*

Thru: William J. Dircks, Executive Director for Operations

Subject: RELEASE OF PRE-PUBLICATION COPIES OF DRAFT NUREG-0725  
ON NRC APPROVED ROUTES FOR SPENT FUEL SHIPMENTS

Purpose: To inform the Commission of the staff actions being taken to  
make information on NRC-approved spent fuel shipment routes  
publicly available.

Category: Information

Discussion: The staff, in response to the Secretary's memorandum of July 3, 1980, stated in SECY 80-245B that an action was then underway to prepare the first of a series of NUREG reports containing maps of the United States showing approved spent fuel shipment routes, the quantities of shipments made over these routes, and an introductory statement to distinguish between the safety and safeguards aspects of these shipments. Enclosure "A" is a draft copy of the proposed document, NUREG-0725, "Public Information Circular for Shipments of Irradiated Reactor Fuel." This document also describes NRC requirements for reporting safeguards incidents. Although no safeguards incidents have been reported to date, future updates of NUREG-0725 will describe any such incidents which may occur.

The draft NUREG document will be sent to State governors under a cover letter from the Chairman (see Enclosure "B"). Following receipt by the State governors, additional copies will be made available to the public through the Public Document Room, the news media, and selected distribution to individuals and organizations who have previously requested such information. Copies will also be sent to the appropriate Congressional Committees. A public announcement to this effect has been prepared by the Office of Public Affairs (see Enclosure "C").

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