

PDR



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

April 4, 1985

The Honorable Thomas H. Kean
Governor of New Jersey
Trenton, New Jersey 08625

Dear Governor Kean:

This is in response to your letter of February 26, 1985 concerning the shipment of spent nuclear fuel rods from West Valley, New York to Oyster Creek Nuclear Generating Station in Lacey Township, New Jersey.

The NRC and concerned agencies of New Jersey were aware of planned construction at several points along the proposed routes and judged at the time that the construction would not significantly increase the vulnerabilities to sabotage. Notwithstanding, in order to ensure that the routing over I-287 does not impose any serious safeguarding dangers during the construction this spring, I have directed the appropriate NRC office to resurvey that portion of the route over I-287 during the construction phase to confirm continued acceptability of the route. The results of this resurvey will be communicated to your State Liaison Officer, who we understand to be Mr. Robert Hughey, Commissioner, New Jersey Department of Environmental Protection, and to Mr. Frank Cosolito, Special Assistant, Division of Environmental Quality, State of New Jersey.

The "southern route," as mentioned in your letter, was discussed informally by New Jersey officials with NRC staff members. During these informal meetings and discussions, the NRC staff provided input to state officials on how to resolve obstacles associated with proposed alternate routes. The problems could not be resolved during these discussions. Since the problems could not be resolved and since a formal request to approve this route in accordance with 10 CFR 73.37 was not received from the NRC licensee, General Public Utilities Nuclear Corporation (GPU), and since there was not a request from the State of New Jersey asking NRC to consider this route, there was no basis for NRC to act on the "southern route."

Department of Transportation (DOT) and NRC regulations both allow for states to designate "preferred routes" for spent fuel shipments. If the State of New Jersey can resolve the problems previously discussed, a formal request can be submitted to the NRC by you seeking approval of the southern route. However, it

should be noted that this route would significantly extend interstate travel. Without considering other factors at this time, the increased distance would appear to be contrary to the DOT routing regulations which prescribe that "...vehicles operate over preferred routes selected to reduce time in transit...." Thus, other considerations should be sufficiently strong to support a request for approval of this route.

I have been informed that the New Jersey State Police and other New Jersey state officials were most cooperative during the route surveys conducted by the NRC Staff in conjunction with these shipments. I would like to extend NRC's thanks for your State's assistance in this matter.

If I can be of further assistance in this matter, please do not hesitate to contact me.

Sincerely,

A handwritten signature in cursive script, reading "Nunzio J. Palladino". The signature is written in dark ink and is positioned below the word "Sincerely,".

Nunzio J. Palladino