

DOCKET NUMBER

PROPOSED RULE

PR-71

(10) (11)

Advance Not. to States  
of Trans.

(45 FR 81058)

DOCKET NUMBER

PROPOSED RULE

PR-73

(13)

Advance Not. to Gov.  
of Shipment of Lr.  
Reactor Fuel

(45 FR 81060)

TERA

Dear Secretary,

The Nuclear Regulatory Commission, in a move that will drastically reduce Vermont's ability to regulate radioactive materials shipments, has recently proposed regulations.

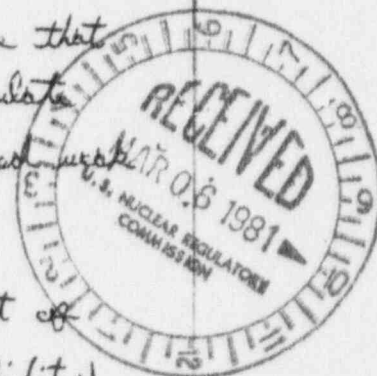
Under a draft rule issued by the Department of Transportation last January, states would be prohibited from requiring any prenotification or from altering routes or times of shipments. The DOT rule would also prohibit towns from enforcing local ordinances relating to radioactive materials transportation.

Due in part to the strong reaction from the states to the DOT rule, Congress passed a law this summer to give some oversight back to the states, and ordered the NRC to draft prenotification regulations. The NRC has issued two sets of regs, one on low level waste, the other on spent fuel. The rules, however, would return relatively little of the authority that the DOT rule would take away from the states.

The NRC's low level waste rule would require prior notification of the governors of each state the waste will pass through, but the notification is so vague it is almost worthless.

Acknowledged by

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L-4-1, PT. 71  
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No information on routing is required, and no precise time or even date of the shipment is required. Shippers need indicate only the week during which the waste will be shipped. "Type A" low level waste, which is less radioactive but nonetheless potentially dangerous, would be exempt under the rule.

The NRC spent fuel rule would require more detailed shipping information, such as the exact dates, times, and routes of shipments, but would classify the information so that it would be virtually inaccessible; only the Governor and his designees could know of impending shipments. The information can be made public only after ten days have elapsed following the shipment. The Governor would not be permitted, for any reason, to alter shipping plans for spent fuel or low level waste.

The need for better notification requirements is obvious:

Notification should include specific times and routes for spent fuel and low level waste shipments.

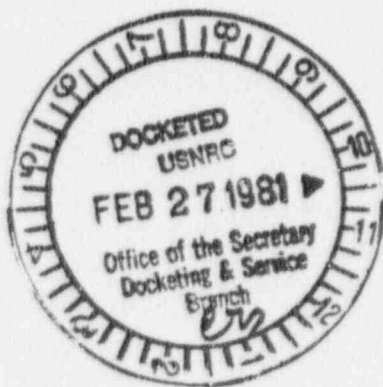
Notification should include all low level wastes, with exception only for very small quantities of wastes from hospitals or research facilities.

Notification regulations should in no way restrict the Governor from freely disseminating transportation information to local authorities.

Emergency response personnel, who will be called upon to assist at accidents involving radioactive materials, must be aware of the unique dangers of the accident in advance. Otherwise they will be wholly unprepared to deal with the problem. Under the proposed NRC rules, the emergency response personnel will not get the information they need.

Furthermore, the Governor, or some state official under the Governor, should be able to modify shipping schedules or routes for reasons of road conditions, weather, or other circumstances.

Only the strongest possible rule should be considered by the NRC.



Sincerely,  
Charles David Parisi

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