



UNITED STATES  
NUCLEAR REGULATORY COMMISSION

WASHINGTON, D.C. 20555-0001

January 2, 2001

CHAIRMAN

**RECEIVED**

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SPENT FUEL PROJECT OFFICE

Mr. Robert R. Loux, Executive Director  
Agency for Nuclear Projects  
State of Nevada  
1802 N. Carson Street, Suite 252  
Carson City, Nevada 89701

Dear Mr. Loux:

I am responding to your letter dated October 30, 2000. You expressed the concern that the report entitled *Reexamination of Spent Fuel Shipment Risk Estimates*, NUREG/CR-6672 (hereafter, the Reexamination) published in March 2000, was prepared without benefit of stakeholder participation. Accordingly, you requested that the Commission direct the Nuclear Regulatory Commission's (NRC) Spent Fuel Project Office to withdraw the report and reissue it as a draft report to obtain public comment on its content. Further, you requested that the NRC staff and applicants should be prohibited in using the report for transportation risk analyses in the interim.

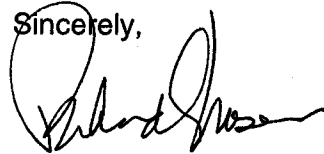
As was presented and discussed at NRC's public meetings held in Nevada and at NRC on the ongoing Package Performance Study (PPS), the Reexamination did identify potential issues for further study, including: 1) update of accident event trees; 2) greater detail on finite element modeling, including bolts; 3) greater detail on thermal modeling, including 3-D analysis; and 4) experimental verification of fuel pellet, rod, and assembly behavior in impacts and fires. We believe the most efficient use of resources is to pursue these and other related issues through the PPS and not pursue a parallel update of NUREG/CR-6672 at this time. Therefore, we will consider comments made by you and other stakeholders on the Reexamination in the context of the PPS to the extent possible. At the conclusion of the PPS, the staff will determine whether the PPS findings warrant an update of spent fuel shipment risk estimates. In the interim, we welcome any comments you may have on NUREG/CR-6672.

In response to your concern regarding continued use of NUREG/CR-6672 in transportation risk analyses, it is important to note that the transportation risks associated with a license application for a proposed site are analyzed as part of the review process, and are reflected in the Environmental Impact Statement (EIS) developed for that site. There is thus an opportunity for public input concerning use of NUREG/CR-6672 through comment on the draft EIS. Moreover, NRC's "Final Environmental Statement on the Transportation of Radioactive Materials by Air and Other Modes" (NUREG-0170), and 10 CFR 51, Table S-4 for reactors, remain NRC's bases for assessing environmental impacts and transportation risk.

Let me assure you that NRC will continue to provide opportunities for stakeholder participation in the PPS by conducting public meetings and making relevant agency documents available for comment on NRC's website. We encourage your continued participation in this process.

If you have any further concerns, please contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Richard A. Meserve". The signature is fluid and cursive, with a large initial "R" and "M".

Richard A. Meserve