



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

March 23, 2000

Mr. Clyde Dinkins
8905 Country Scene Way
Las Vegas NV 89117-5571

SUBJECT: RESPONSE TO INQUIRY ON RADIOACTIVE WASTE TRANSPORTATION

Dear Mr. Dinkins:

I am responding to your February 16, 2000, letter, in which you question the authority and constitutionality of the Las Vegas City Council's ordinance banning the transport of nuclear waste on city streets. Your questions are not directly related to U.S. Nuclear Regulatory Commission (NRC) regulated activities. The following information is provided for your use.

The NRC and the U.S. Department of Transportation (DOT) are co-regulators in the area of commercial radioactive waste shipment. DOT is the lead federal agency responsible for regulating the transport of hazardous materials, which includes radioactive waste, while the NRC's role in overseeing transport of radioactive materials involves certification of Type B containers for transport and physical security of shipments. NRC's regulations for these activities are contained in Title 10 Code of Federal Regulations (CFR) Parts 71 and 73, respectively.

DOT's Title 49 CFR Part 177 and Parts 390 through 397 provide specific requirements on transport by public highway. Routes chosen for shipment of spent fuel and other high-level radioactive waste must comply with DOT routing requirements. For further information on routing requirements, we suggest you contact Mr. Richard Swedberg of DOT's Federal Highway Administration (FHWA), Office of Motor Carriers, at the following address:

Mr. Richard A. Swedberg
FHWA Office of Motor Carriers
555 Zang St., Room 400
Lakewood, CO 80228

If you have any further questions, please contact Robert Temps of my staff at (301) 415-2552.

Sincerely,

/RA/

Susan F. Shankman, Deputy Director
Licensing and Inspection Directorate
Spent Fuel Project Office
Office of Nuclear Material Safety
and Safeguards

cc: Richard Swedberg, DOT

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(Original Signed by:)

Susan F. Shankman, Deputy Director
Licensing and Inspection Directorate
Spent Fuel Project Office
Office of Nuclear Material Safety
and Safeguards

cc: Richard Swedberg, DOT

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