



The Council of
State Governments
**MIDWESTERN
OFFICE**

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Dear Mr. Stern:

On behalf of the Council of State Governments' Midwestern Radioactive Materials Transportation Committee, I am writing to convey a few comments on the recently published *CVSA/DOE Cooperative Agreement Interim Report*.

The committee agrees with the report's conclusions that the CVSA Level VI standards are attainable and that the inspection procedures "will go a long way to insure safe and efficient transportation of radioactive materials." We also believe that the standards can reduce public apprehension over radioactive materials shipments.

Despite our strong support for the CVSA Level VI standards, we disagree with the report on the subject of en route inspections. We do not believe the collected data, as presented, provide sufficient evidence to conclude that en route inspections are unnecessary from a safety standpoint.

Shipments encounter a variety of weather and travel conditions as they progress from state to state. The equipment is subjected to continuous stress and strain over the course of hundreds or thousands of miles. All mechanical equipment is subject to failure, despite anyone's best attempts to prevent it. Moreover, our experience with at least one highly visible shipping campaign taught us that one cannot assume the equipment used to transport nuclear materials will always be in top-notch condition.

Allowing states to inspect for equipment failure is reasonable. It is also consistent with the guidelines for all other levels of the CVSA inspection program, which allow states to conduct an inspection of the driver or vehicle at the discretion of the state. This same standard should continue to be a part of the Level VI inspection program.

In February 2000, the committee raised a similar concern with regard to the conclusions of the Cooperative Agreement Final Report (see attached letter). Although the data were admittedly "sparse," that report concluded, "there is generally no need for en route inspections, unless required by a jurisdiction's regulation" (CAFR, iii).

We interpret the data presented in the Interim Report as either potentially *demonstrating* the value of en route inspections or, at the very least, pointing to a need for more detailed analysis. The data for the WIPP shipments, for example, would be particularly suitable for further study. Not only is there a greater amount of data, but two states (Colorado and New Mexico) conduct inspections both at the point of origin and en route.

A quick review of just the WIPP shipment data in Tables 19 and 20 of the Interim Report reveals the following (see enclosure):

1. Of the total out-of-service violations, two-thirds were identified during en route inspections, one-third during point-of-origin inspections, and none during point-of-destination inspections.
2. Of the total number of inspections, 7% of the en route inspections identified violations, and 11% of point-of-origin inspections did so. In the two states that conducted both en route and point-of-origin inspections, however, a greater percentage of en route inspections identified violations compared to point-of-origin inspections.
3. The number of out-of-service violations found during en route inspections was greater than the number found during point-of-origin inspections. This was true for both total out-of-service violations and Level VI violations, even after adjusting for the greater number of en route inspections.

We believe CVSA should collect more data and conduct further analysis before drawing any general conclusions regarding the value of en route inspections. It would be useful, for example, to compare the results of point-of-origin inspections with those of en route inspections for individual shipments. It might turn out that, if the point-of-origin inspection does *not* identify any defects, the shipment will likely arrive at its destination defect-free. Or perhaps mileage is a factor that should influence the decision to re-inspect a shipment: The data might reveal that certain problems (e.g., involving brakes) tend to recur on long-distance shipments

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but not on shorter ones. These are just a few of the important research questions that we encourage CVSA to address in its final report.

The states in the Midwest usually honor the CVSA Level VI decal affixed by other states. In some instances, however, the Midwestern states choose to conduct en route inspections because of state law or for other reasons. We will continue these practices until there is compelling evidence that convinces us to do otherwise.

Please feel free to contact either Ms. Lisa Sattler (920-803-9976) or me (217-786-6365) if you have any questions. Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read "Timothy A. Runyon". The signature is fluid and cursive, with a large initial "T" and "R".

Timothy A. Runyon, Chief
Division of Environmental Monitoring,
Illinois Department of Nuclear Safety, and
Chair, CSG Midwestern Radioactive Materials
Transportation Committee

enclosures

cc: Ralph Smith, CBFO
Judith Holm, NTP
Nathan Christiansen, WGA
Phillip Paull, CSG/ERC
Christopher Wells, SSEB

CVSA Interim Report Data

Table 19. WIPP Shipments: Number of inspections by state and type of inspections

State	Origin	En Route	Point of Destination	Total
Colorado	677	477		1154
Idaho	501		1	502
New Mexico	27	1181	73	1281
South Carolina	13			13
Washington/Oregon	11			11
Total Number of Inspections	1229	1658	74	2961

Table 20. WIPP Shipments: Number of violations identified by state, type of inspection, and type of violation

State/Type of inspection	No. of Inspections Identifying Violations	No. of Violations Identified	Not Out-of-Service Violations	Out-of-Service Violations	
				NAS	Level VI
<u>Colorado</u>					
Point of Origin	7	11	8	2	1
En Route	37	42	26	3	13
<u>Idaho</u>					
Point of Origin	128	166	139	9	18
<u>New Mexico</u>					
En Route	79	115	68	7	40
<u>South Carolina</u>					
Point of Origin	2	3	2	1	
Total	253	337 violations	243	22	72
					94

Midwestern analysis of CVSA data

Total out-of-service violations

	Number	Percentage
Point of origin	31	33.0%
En route	63	67.0%
Point of destination	0	0.0%
Total	94	100.0%

Percentage of inspections identifying violations

	Total inspections	# identifying violations	Percentage
Point of origin	1229	137	11.1%
En route	1658	116	7.0%
Point of destination	74	0	0.0%

Percentage of inspections identifying violations: by state

	Total inspections	# identifying violations	Percentage
Point of origin	677	7	1.0%
En route	477	37	7.8%

New Mexico

	Total inspections	# identifying violations	Percentage
Point of origin	27	0	0.0%
En route	1181	79	6.7%
Point of destination	73	0	0.0%

Out-of-service violations identified during inspections

	Total inspections	NAS out-of-service	Per inspection
Point of origin	1229	12	0.010
En route	1658	10	0.006
Point of destination	74	0	0.000

	Total inspections	# identifying violations	Percentage
Point of origin	501	128	25.5%
Point of destination	1	0	0.0%

	Total inspections	# identifying violations	Percentage
Point of origin	13	2	15.4%

	Level VI out-of-service	Per inspection	Total out-of-service	Per inspection
Point of origin	19	0.015	31	0.025
En route	53	0.032	63	0.038
Point of destination	0	0.000	0	0.000