

# COMMERCIAL VEHICLE SAFETY ALLIANCE



An Association of State, Provincial and Federal Officials  
Responsible for the Administration and Enforcement of Motor  
Carrier Safety Laws in the United States, Canada and Mexico

94

---

5430 GROSVENOR LANE • SUITE 130 • BETHESDA, MD 20814 • TEL.: (301) 564-1623 • FAX: (301) 564-0588

February 21, 1997

Corinne Macaluso  
U.S. Department of Energy  
OCRWM, RW-45  
1000 Independence Ave. S.W.  
Washington, D.C. 20585

Dear Ms. Macaluso:

I understand that the comment period has ended for comments to be received regarding the implementation of Section 180 (c) of the Nuclear Waste Policy Act. On behalf of the Commercial Vehicle Safety Alliance (CVSA), I would appreciate however, the opportunity to again emphasize or expand upon select points of my earlier response.

From comments I have heard and from the Notice of Proposed Policy and Procedures, as carried in the Federal Register, there appears to be a reluctance on the part of the Office of Civilian Radioactive Waste Management (OCRWM) to mandate or support specific training for inspectors conducting safety inspections. We believe that this type of ambiguity and non support is contrary to providing a safe transportation environment and one that will not be efficient or cost effective.

The reluctance to not support the CVSA Enhanced North American Standard Inspection Standard and subsequent required training is to ignore the financial assistance and support of OCRWM since 1986 as well as the extensive time and resources put into developing the program by the various states involved. Apparently the organizational entity of CVSA is not understood and appears to be looked upon as a profit making or competing organization, which it is not. CVSA is a not for profit organization made up of the various on highway enforcement agencies from all the states, Canadian provinces and Mexico. It is not in competition with any other organization.

CVSA is the only organization which develops and ensures states acceptance of inspection standards and the out-of service criteria for motor carriers. It also sets the standards for inspector and instructor qualifications and certification and provides the only system in place for insuring reciprocity of inspections. Reciprocity will enable the shipments to move in a expeditious and efficient manner.

Ms. C. Macaluso  
Nuclear Waste Policy Act 180(c)  
Page 2

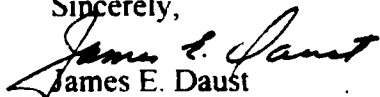
We can not comprehend why OCRWM will not take a strong proactive stand regarding the safe transportation of spent nuclear fuel and direct that the Enhanced North American Standard Inspection Procedure and Out-of-Service Criteria be adhered to, as well as requiring that inspectors be trained and certified to this standard. These procedures will ensure that a motor carrier transporting spent nuclear fuel will not leave the point of origin until it is defect free. Following this standard will give the traveling public the confidence that the vehicles, driver and cargo are as safe as humanly possible and that the government is concerned about their well being.

I would also like to take exception to what appears to be an overwhelming attention to the emergency response aspect of transporting spent nuclear fuel. This attention is reflected in the 180 (c) proposal and various meetings and commitments of the Department of Energy, including the Transportation External Coordination Working Group. I am not implying that this is not important, as it is vital for any transportation program, however a strong proactive approach will ensure that, to the best of everyone's ability the transportation effort is conducted in a safe and efficient manner.

In addition to the above, we also strongly recommend that a policy be adopted by OCRWM which will require that the roadside inspection process be funded through the agency responsible for on-highway inspection and enforcement of motor carrier regulations.

Please accept these comments in the manner for which they are intended, which is to assist in promoting the safe and efficient transportation of spent nuclear fuel and other high level radioactive waste. We appreciate the opportunity to comment on this important proposed policy and look forward to the next step in the implementation of 180 (c). Please do not hesitate to contact me if further explanation or documentation is needed regarding our comments. My telephone number is (520) 749 9315 and fax is (520) 760 6653.

Sincerely,



James E. Daust

CVSA/DOE Program Director  
9225 E. Tanque Verde Rd. Unit 27201  
Tucson, AZ 85749