

DEPARTMENT OF CALIFORNIA HIGHWAY PATROL
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March 16, 1994

File No.: 60.11309.66.94-009.ram

Lewis K. Wood, District Director
California Department of Transportation
500 South Main Street
Bishop, CA 93514

Dear Director Wood:

Subject: COMMENTS RECEIVED ON PROPOSED HIGHWAY ROUTE
CONTROLLED QUANTITY SHIPMENTS OF RADIOACTIVE MATERIAL
REGULATIONS

Your comments on the proposed Highway Route Controlled Quantity (HRCQ) Shipments of Radioactive Material (RAM) Routing have been received by the California Highway Patrol. As stated in the "Notice of Proposed Regulatory Action," written comments will be accepted through March 14, 1994.

Subsequent to our review and evaluation of all comments received during the public review period, a final regulatory package designating HRCQ of RAM routes will be forwarded to the State Office of Administrative Law (OAL). If necessary, OAL will publish a notice of changes for an additional 15 day written comment period. Thank you for taking the time to provide us with your comments and assisting our Department in this regulatory process.

Sincerely,

A handwritten signature in black ink, appearing to read "L. Denno".

L. DENNO, Chief
Enforcement Services Division

DEPARTMENT OF TRANSPORTATION500 South Main Street
BISHOP, CA 93514

March 11, 1994

California Highway Patrol
Hazardous Material Section
P.O. Box 942898
Sacramento, CA 94298-0001

Attn: Routing and Prenotification Unit

NOTICE OF PROPOSED REGULATORY ACTION
Designation of Routes for the through Transportation of Highway Route
Controlled Quantity Shipments of Radioactive Materials (HMS-94-01)

Thank you for the opportunity to review and comment on the proposed designation of routes. Caltrans neither supports nor opposes the proposal of any Interstate route or State highway. We do have these comments, suggestions, or questions to offer:

- Only Interstate routes are currently being proposed. Is this because only the existing controlled quantity shipments of Radioactive Materials (RAM) are being considered? Future shipments should be considered, such as, the potential shipments to Yucca Mountain if it is designated as a repository.
- Congress has promised the utility companies that they will provide for the reposit of high level nuclear waste by 1998. There is a strong possibility that Yucca Mountain will be designated as an interim repository until the site assessment studies are completed. We are concerned that State Route 127 (as being the most direct route and identified by Nevada Department of Transportation as one of the most likely preferred routes) will be designated without adequate consideration to assessing the potential impacts, the route's geometric/structural adequacy, its vertical and horizontal alignment, the availability of emergency and medical response, current accident situations, etc. These studies should be occurring now since environmental, programming and funding requirements take 5 to 10 years to complete once improvement projects have been identified.
- What is the California Highway Patrol's position in accessing, mitigating and monitoring potential impacts to the State Highway System? As a responsible agency, Caltrans requires the developer to perform traffic impact studies. We have been told by the Department of Energy that in designating routes, the States are certifying to their adequacy. We certainly hope that the CHP would not designate State routes without assuring to their physical adequacy, and that the potential impacts are mitigated by the contributor/developer.
- We would like to be consulted and involved at the District level should any route within our boundary be considered for future designation. Please involve us early in the process, and we welcome the opportunity to have you join us for some on-site reviews.
- There are a couple of federal actions that are being considered that may impact the designation of "through" routes in California. The California Desert Protection Act (SB21) will establish approximately 80 wilderness areas in Inyo, Kern, San Bernardino, Riverside, and Imperial counties, and may impact access to roadways adjoining these wilderness areas. Another proposed action is the Fort Irwin expansion which has a potential to impact Interstate routes and State highways in San Bernardino and Inyo counties. These potential actions should be considered and their impacts, conflicts, mitigations, and conditions need to be dovetailed into the process for selecting routes.

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Again, we stress our neutrality on which State routes are designated. We are encouraged that the CHP is "contemplating additional routing considerations such as physical constraints of roadways, inadequate shoulders, turning radius . . ." We would like to be reassured that these factors are given top priority, and that if the infrastructure is not adequate before designation then the improvements or impacts need to be clearly identified and how they will be implemented or mitigated, financed, and monitored.

Please give Mr. Ken Deboy, Deputy District Director of Planning and Project Development, a call if you would like to discuss any of these comments or if we can be of any assistance in your studies. You can reach him at (619) 872-0604.

Sincerely,

K. M. Deboy for

LEWIS K. WOOD
District Director
of Transportation

cc: Ken Deboy, DDDP&PD

CALIFORNIA HIGHWAY PATROL
HAZARDOUS MATERIAL SECTION
ATTN: ROUTING AND PRENOTIFICATION UNIT
P O BOX 942898
SACRAMENTO, CA 94298-0001

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