



**Transportation
External Coordination
Working Group**

MEETING SUMMARY

**KANSAS CITY, MISSOURI
JULY 18-20, 1995**

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EXECUTIVE SUMMARY

The Transportation External Coordination Working Group (TEC/WG) held its seventh semi-annual meeting July 18-20, 1995 in Kansas City, Missouri. More than one hundred individuals participated, making this the largest meeting since the group's inception. The formally chartered group, comprised of membership representing state, tribal and local government; industry; professional organizations; and the U.S. Department of Energy, addresses issues related to DOE's transportation activities.

Using a mix of plenary and breakout sessions, participants received updates on current activities within the Department. Plenary topics included an update and status report on EM transportation programs and a panel addressing other transportation programs and activities. Presentations from the panel included an update on the nitric acid shipments, Waste Isolation Pilot Plant, EM's spent nuclear fuel program, and the Office of Civilian Radioactive Waste Management transportation program. Additional plenary sessions addressed emergency management; the status of a national survey on public perceptions of transportation risks; future land use planning for DOE and local communities; and an update on activities within the U.S. Department of Transportation. A member representing the Commercial Vehicle Safety Alliance discussed this program's current activities. Members of the group are encouraged to make presentations on activities of interest within their organizations. Participants were also invited to tour the Union Pacific Railroad facilities in Kansas City.

Participants were given the opportunity to discuss issues in greater detail in a series of three breakout sessions led by DOE managers. Topics for the breakouts were: Transportation Operations; General Planning and Public Information & Education; and the Office of Civilian Radioactive Waste Management's Section 180(c) Plans and Routing. Major action items from the breakout sessions are summarized below.

Transportation Operations

- DOE agreed to redraft the Bad Weather and Road Conditions "guidance" based on membership input.
- DOE will develop a "concept" of "escorts" including purpose, skill requirements, and roles and responsibilities. The development of a companion rail "guidance" document will also be initiated.
- The activity to define "shipping campaign" is being placed as pending while systems such as the prospective shipments module and other data communication systems mature.
- DOE is working with regulators, carriers, carrier associations, and DOE general counsel concerning applicable laws, regulations, and other requirements concerning the study of issues related to rail inspection and enforcement procedures.

- A new activity was suggested in which a strawman guide addressing "guidance" for rail transportation operations for bad weather and rail conditions would be developed and presented to the group for consideration.

General Planning and Public Information & Education

- DOE agreed to update the TEC/WG Work Plan before the next meeting and use it as a basis for prioritizing issues, which will be the focus of a breakout session at the January 1996 meeting.
- The results of the national survey on transportation risk perceptions will be available to members this fall.
- The prospective shipment module is expected to be automated by December. Participants suggested reviewing the information displayed in the module to ensure that it is consistent with TRANSCOM information, consider linking the two systems, and add U.S. ports of entry and debarkation to the data base. Another suggestion was to indicate when a planned campaign either was delayed or completed.
- Members were requested to provide feedback on three new items discussed at this meeting. Comments were encouraged on an outline of a financial assistance options paper; on guidance for bounding public involvement activities between DOE field and headquarters; and on a preliminary outline on lessons learned from selected shipping campaigns. Members were also asked to review a draft of a student video, Transportation of Radioactive Materials which is available.
- Participants also discussed the Transportation Emergency Management Program during this breakout and were asked to provide comments on the SEPTIR project implementation strategy. General suggestions from the meeting included integration with FEMA's emergency response plan; railroad response issues; and the need to incorporate rural, Indian tribes', and railroad views into planning.

Section 180(c) and Routing

- Participants learned that a supplemental Notice of Intent (NOI) on developing policy and implementation procedures for 180(c) of the Nuclear Waste Policy Act is available for public comment. The Office of Civilian Radioactive Waste Management also agreed to address local governments' ability to access Price-Anderson funds in section 180(c) proposed policy and procedures.
- There was considerable discussion on the topic of routing. Two major issues were identified during the closing plenary session. The first issue is how do routes described in a NEPA document relate to actual routes. Second, how will DOE work with states and carriers in selecting routes.

The next TEC/WG meeting is scheduled for January 16-18, 1996 in San Antonio, Texas.

The meeting summary is divided into three sections. The first section contains summaries from each of the plenary sessions. The second section includes summaries from each of the three breakout sessions. The final section includes appendices as follow: Appendix A - Meeting Agenda; Appendix B - Participant List; Appendix C - Materials Available from Meeting; Appendix D - Acronym List; and Appendix E - Evaluation Results

SECTION I: PLENARY SESSION SUMMARIES

**Plenary Session #1
EM Transportation Program Status and Update**

Tuesday, July 18, 1995

1:10 p.m. - 1:40 p.m.

Rich Brancato (Director, Office of Transportation, Emergency Management and Analytical Services) provided a status report on the Environmental Management (EM) transportation programs in light of current budget reductions. He noted that most participants were probably aware of many of the changes that were going on in Washington, DC as there had been substantial media coverage. The change is coming from a number of different directions, including Congress and the executive branch. Attempts are being made to reduce the amount of money spent on government as well as reorganize elements of the bureaucracy to increase efficiency. This new atmosphere is affecting the ways in which DOE is looking at its programs and has prompted the Secretary to consider ways to realign within the department. Currently, strategic alignment issues are being debated within DOE with the view that if DOE does not improve how it conducts business, the department's very existence may be threatened.

Mr. Brancato shared Assistant Secretary Grumbly's views for EM in Fiscal Year 1996 with the group. Specifically, he pointed out that EM is more than cleanup and noted the concern about nuclear materials and facilities stabilization. Meeting legal commitments through compliance with existing laws, increased efficiency, and getting results while reducing risks are all part of the increased commitment as well. He also highlighted the commitment to reinvent cleanup in the outyears explaining what this looks like in terms of the budget. The dollars committed to work are being reduced, while at the same time a new scope is being added to the program, bringing new work into the environmental cleanup program.

Mr. Brancato also reviewed the program dollars received in FY 1995 and the FY 1996 request versus those contained in the House of Representative's markup. In the House's version the emergency management and analytical services were zeroed out and transportation management was also cut. The Senate had not released its markup at the time of the meeting.

As part of the Secretary's alignment initiative, a transportation realignment action group (Group) was formed. The need to consolidate transportation and packaging functions, while ensuring an effective and efficient management system, has been recognized by a series of

assessments. The Group recommended the consolidation of corporate transportation and packaging management and safety activities and a reengineering of transportation and packaging operations.

Central to the recommendation of the Group was the utilization of a "best industry practices" approach. This approach establishes key corporate functions which provide information and expert services that allow the operational elements to achieve maximum efficiency.

The Group recommended a Headquarters corporate transportation and packaging organization that provides for development and maintenance of logistics management tools; development and maintenance of transportation risk assessment codes; conduct of packaging application research, development, and testing; negotiation of national rates for transportation services; interaction with transportation stakeholders, including states, local governments, tribes, and other federal agencies, and IAEA; development of mandatory transportation and packaging training; and provision of technical assistance in transportation and packaging management, including package development, certification, and safety analysis report preparation.

The Group also recommended that over the next year a review of transportation and packaging operations and a subsequent reengineering of activities be completed. The field will retain all responsibility and authority to conduct packaging and transportation activities necessary to support their program customers.

He concluded with a quick overview stating that the budget is decreasing and the activities are changing. However, DOE is not changing talking to stakeholders and this is evident by looking at TEC/WG and its growth during the past two years.

Plenary Session #2
Transportation Program and Activity Update Panel
Tuesday, July 18, 1995
1:40 p.m. - 3:15 p.m.

Nitric Acid Shipments

Brad Nelson (PUREX Program Manager) provided an update on the low specific activity (LSA) Nitric Acid shipments. He began by noting that disposing of the nitric acid could have cost as much as \$70 million; by selling the material to facilities in the United Kingdom, DOE was able to save millions in taxpayer funds. He reviewed the outreach effort that the department used prior to the shipments. DOE held a public meeting in each of the three potential ports (Portsmouth, Virginia; Baltimore, Maryland; and Newark, New Jersey). The meetings were informally structured in a poster session format; however, a court reporter was available at each meeting if anyone attending the meeting wanted to make a formal statement. Mr. Nelson noted that one attendee at the TEC/WG meeting, Mr. Robert Deegan, was at the Portsmouth public meeting and encouraged TEC/WG participants to speak with him if they were interested in another perspective on that particular public meeting.

Mr. Nelson shared that the greatest amount of press coverage had occurred in Portsmouth. DOE's overall impression of the articles was that all the facts were there. They also thought the television coverage was neutral in its reporting of the issue.

Mr. Nelson also discussed the weekly conference calls being held in conjunction with the shipments. During these calls, state officials can call in for an update. Issues which may be discussed during these calls include potential route changes due to road conditions, and computer-generated route changes. In one instance, HIGHWAY, the computer program which is used to select routes, was run one last time prior to beginning a shipment. The route it selected, which is based on the shortest route between two entered points, deviated from the initial route and ran through a new state. The program chose this route because it represented a 10 minute time saving due to changes in speed limits along some routes the code examined. Concern was raised and ultimately the initial route was used because a ten minute savings in time was deemed insignificant on a 2500 mile route.

Mr. Nelson pointed to several important lessons that have been learned during this shipping campaign. It is necessary to talk to people early and always keep the lines of communication open. Also, those involved should continually ask if there is any one else we need to talk to. Most of the essential contacts eventually were made, he said, but some should have been made sooner.

During the question and answer period, Mr. Nelson was asked how the nitric acid is packaged. Mr. Nelson responded that the nitric acid is packaged in DOT 51 spec containers that are top loading. Because the nitric acid is low specific activity, the shipments are relieved of compliance with many of the regulations that apply to shipments of more radioactive materials. There will be 52 separate shipments of 3500 gallons each. An explanation was also provided concerning the loading and shipping of the nitric acid and it was noted that a commercial carrier (Tri-State Motor Transit) was being used for the shipments.

Another participant asked if a cost analysis had been conducted comparing truck to rail. Mr. Nelson responded that such an analysis had not been done because DOE preferred the greater control of shipments going by truck, noting that it is easier to re-route a truck.

One participant pointed out an additional lesson that should be learned is that if there is the slightest possibility of controversy to a campaign a draft Environmental Impact Statement (EIS) should be issued. The participant further noted that the ad-hoc review committee convened for the Environmental Assessment (EA) was not scientifically chosen and should have included representation by additional environmental groups. Further, he noted that the disclaimer statement that appeared on many of the documents did not bolster confidence in DOE's message. Overall, however, DOE did a good job of working with concerned parties.

A participant asked if the Coast Guard had been involved in the public meetings or planning for the shipments. While there were a couple of people in the Coast Guard who came and observed meetings, they were not actively involved.

There was interest in the number of shipments that would be going out of Baltimore. The commercial carrier currently contracted will be shipping out of Portsmouth for the next four weeks. However, because carriers only have schedules to a certain point, it is often necessary to wait until closer to the shipping date to finalize contracts. In the overseas freight industry, said Mr. Nelson, it is his impression that small shipping contracts are like airline tickets. Shipping is very dependent on a number of variable factors that cannot be predicted ahead of time. In the future, there may be other carriers who would chose to leave from Baltimore or Newark.

Participants were interested in the other options that were considered. Mr. Nelson noted the options were outlined in the EA and highlighted four of them with the group. One option was building a RCRA compliance storage site and storing the nitric acid on site indefinitely. This was not an attractive alternative because it is not a final solution. A second option was to utilize the process of sugar denitrification. However, this process would have taken about 22 months at a cost of \$3 million dollars a month. A third option was to neutralize the nitric acid. However, this would have created a lot of liquid waste that would have been sent to the Hanford tank farms. Again, this was not a final solution. A fourth option was to neutralize the nitric acid and treat the gaseous effluent. However, treatment of the gaseous effluent yields radioactively contaminated nitric acid.

One participant noted the concern in his state over the process for notification when there was a route change as discussed in the earlier example. Mr. Nelson responded that in retrospect in that situation the route should not have been changed. If a comparison had been done between the initial and new routes prior to distributing to the states, it would have been realized that there was no need to change the route. An important lesson was learned in that it is better to talk to the states and not just send information out to them. A participant further noted that DOE should also ask the states about the best routes and not just depend on a computer for this information.

WIPP Update

Alton Harris (Transportation & Emergency Preparedness Manager, Office of Waste Isolation Pilot Plant Program) provided an overview of three areas of the Waste Isolation Pilot Plant (WIPP) Project: packaging, carrier status, and relationships with external organizations. In a brief review of the status of WIPP, Mr. Harris noted that Representative Skeen had introduced legislation in the U.S. Congress that included a provision to open WIPP in 1997. Hearings were scheduled on the legislation for the week of the meeting. He also informed participants that another Secretarial program review of WIPP has been scheduled.

Packaging

Activities in this area are focused on how to expand the payload of the TRUPACT-II. Mr. Harris reviewed the TRUPACT-II limitations and discussed weight, size, wattage, and fissile gram limitations of the TRUPACT-II. He discussed the Contact-Handled (CH) Packaging Optimization Study noting that packagings must be compatible with existing and future waste;

TRUPACT-II limitations will be addressed; some TRUPACT-II payload restrictions may be revised by applications to the NRC; recommendations will be based on input from U.S. DOE sites; and recommendations will consider impact to DOE sites as well as transportation cost.

Mr. Harris also noted that a Remote-Handled (RH) model packaging, which is a scaled down 72 B model of the packaging used for the Three Mile Island (TMI) shipments, is currently under review at Headquarters.

Carrier Status

A new carrier, Colorado All-State Transportation, Inc. (CAST), was announced in March. The transition to the new carrier was recently completed. WGA and SSEB have commented that the transition has gone smoothly. These groups have also asked to review CAST's management plan; copies are being sent to interested parties for review and comment, said Mr. Harris. CAST's management plan is similar to that produced by the previous WIPP carrier, DAWN Enterprises, Inc., he said.

CAST has two drivers and one alternate. One driver was with the previous TRU carrier. CAST has a good track record and additional DOE evaluation is expected this fall. DOT has rated CAST as satisfactory, Mr. Harris said. DOE will be reevaluating CAST in the fall under its Motor Carrier Evaluation Program. The last score received by CAST was 81.9, which was good, he said.

Continued Relationship with External Organizations

WIPP will continue to involve stakeholders as they have in the past.

Other Activities

Mr. Harris also provided a status update on two other activities, the States Training and Education Program (STEP) and the WIPP Transportation Exercise (WIPPTREX). The STEP program, which is a DOE training program of ongoing curriculum courses offered to local, state, and tribal emergency responders, is continuing, but modifications may be required based on budget constraints. WIPP is also continuing to work with the Radiation Emergency Assistance Center/Training Site (REAC/TS), providing training for hospital emergency room personnel. Mr. Harris informed participants that the most recent WIPPTREX exercise was completed in June and was conducted in Wyoming. The next exercise is scheduled for October 1995 in Utah.

Following his presentation, Mr. Harris opened the floor for questions.

One participant wanted to know if comments were still being accepted on the RH cask and the schedule for production. Mr. Harris responded that there is a January 1996 milestone for NRC approval of the packaging and this is the date that they are working toward, realizing that there may be delays.

Another participant expressed concern about possible cuts to the STEP program. Mr. Harris responded that staffing for STEP is steady at this time, however, there may be a budget change that will affect this. Another participant voiced support for STEP, urging that it not be cut. Rich Brancato responded that there are some decisions which they do not have control over.

A question was raised as to the differences in the management plans from the previous carrier to CAST. Mr. Harris responded that the previous carrier included provisions requiring termination of drivers if personal citations were received, the new plan is not as punitive.

One participant asked what actions are being made to ready eastern sites for shipments out of the east. Mr. Harris responded that the current focus is on the western states. Once a facility is open, DOE recognizes that shipments will also be coming from east and is continuing dialogue with the Southern States Energy Board and affected southern and midwestern states.

Another participant was interested in what was being done to prepare facilities. Mr. Harris responded that the generating sites are key players and noted DOE's creation of an executive transuranic steering committee with key managers from sites participating.

Spent Nuclear Fuel Update

Mark Howard (Project Engineer, Idaho Operations Office) spoke on the Record of Decision (ROD) for the Programmatic Spent Nuclear Fuel (SNF) Environmental Impact Statement (EIS). The ROD was issued on June 1, 1995 and is based on the April 1995 final version of the EIS and its preferred alternatives. The ROD selected regionalization by fuel type at three DOE sites: Savannah River (for aluminum clad fuels), Hanford (for Hanford production reactor SNF), and Idaho (for non-aluminum clad fuels).

Mr. Howard also discussed the implementation of the ROD. This includes establishing a schedule for shipments based on Navy shipment priorities, fuel condition, facility availability and safety, transportation logistics, repository acceptance requirements, and budget and costs considerations. He also noted the need to work with the Office of Civilian Radioactive Waste Management to establish DOE SNF acceptance criteria which drives the planning basis for the DOE SNF program.

Litigation issues were reviewed as well. An injunction was granted in Idaho and the U.S. Court of Appeals denied a motion to stay the injunction. Until the injunction is lifted, no shipments will go to Idaho. Litigation issues also affect shipments to Savannah River Site. Given the ongoing litigation in U.S. District Court on urgent-relief shipments of foreign research reactor spent nuclear fuel, shipments to Savannah River Site need to be considered on a case-by-case basis. Mr. Howard also highlighted SNF projects to be implemented at INEL.

Following his presentation, Mr. Howard opened the floor for questions.

One participant asked Mr. Howard to contrast the program with the nitric acid shipments, especially in terms of selection of motor carrier versus rail carrier. Mr. Howard responded that rail will handle SNF to INEL and would also be capable of handling nitric acid safely.

Another participant was interested in the idea of using an MPC for storage. The response to this question was deferred until Linda Desell's presentation, which was the final presentation on the panel.

Clarification on the injunction for further shipments to INEL was requested, does it mean that no shipments will go to INEL. Mr. Howard responded that it is his understanding that until relief is provided by the court, there will be no shipments. One participant recalled that there seemed to be case-by-case decisions being made concerning naval reactor fuel. Rich Brancato responded that it has been the Secretary's position that as long as litigation is pending, there will be no shipments.

OCRWM Transportation Program

Linda Desell (Director, E&O Activities Division, Office of Civilian Radioactive Waste Management) provided an update on the OCRWM Transportation Program. Current activities within OCRWM include: (1) a new program approach released last December; (2) OCRWM's commencement of the Multi Purpose Canister (MPC) Environmental Impact Statement (EIS); and (3) OCRWM's plans to begin a repository EIS later this year.

Waste Acceptance

Ms. Desell discussed issues concerning waste acceptance which included a Notice of Inquiry (NOI) published in May soliciting comments on three major issues: 1) the Department's obligation to accept waste in 1998; 2) the need for interim away-from-reactor storage; and 3) options for offsetting utility costs. The April 28, 1995 *Federal Register* notice included DOE's interpretation of waste acceptance issues in which the Department concluded that it has no legal obligation to accept high-level waste or spent nuclear fuel in 1998 in the absence of a repository, or other facility, constructed under the NWPA; it has no authority under the Act to provide interim storage; and it is open to discussion of financial or other assistance in light of its inability to provide disposal services in 1998.

FY 1996 Budget Request and Congressional Activity

Ms. Desell reviewed the FY1996 budget request for OCRWM which is \$630 million—a 20% increase over FY 1995. The U.S. House of Representatives mark-up provides \$425 million for the program. Other congressional activity includes the introduction of ten separate bills that concern the OCRWM program. Ms. Desell also reviewed six principles the Secretary has identified which should be included in any legislation to amend the NWPA.

Multi-Purpose Canister Activities

The public scoping period concluded on the MPC EIS on January 6, 1995. The MPC EIS alternatives include: 1) a no-action alternative (current technology); 2) use of current technology supplemented by high capacity rail transportation casks; 3) use of a transportable storage cask; 4) use of a dual-purpose canister, and 5) use of a 75-ton MPC. The MPC EIS schedule has slipped, said Ms. Desell, but the changes are positive as the delays remove the hearing schedule out of the holiday season (which was suggested by stakeholders).

Ms. Desell also discussed full-scale cask testing and section 180(c) activities. Ms. Desell noted that while full-scale cask testing is not required for Nuclear Regulatory Commission certification, some stakeholders have urged OCRWM to conduct testing. The OCRWM Program Plan directs a policy option for resolving this issue by November 1995. Ms. Desell informed participants that another *Federal Register* notice would be issued the week of the meeting providing supplemental information on funding and technical assistance options under section 180(c).

OCRWM Transportation Report

Ms. Desell explained that this document reports on the status of OCRWM's transportation subsystem, giving special emphasis to institutional issues. She noted that there is also a Waste Acceptance Operation Plan available. She offered to provide a copy to anyone who was interested.

Transportation Contingency Plan

This plan discusses activities that must be accomplished to ensure spent fuel transport prior to the year 2010. Copies of the document are available.

Plenary Session #3
Emergency Management
Tuesday, July 18, 1995
3:30 p.m. - 4:05 p.m.

Jim Cruickshank (Emergency Management Team Leader, Office of Transportation, Emergency Management, and Analytical Services) discussed three issues with participants: 1) the Standardized Emergency Preparedness for Transportation Incident Response (SEPTIR) project status, 2) budget cuts, and 3) technical review. Mr. Cruickshank said he would delay review of the SEPTIR implementation strategy for discussion in the General Planning and Public Information & Education Breakout Session.

SEPTIR Project Status

Mr. Cruickshank reviewed the goals of SEPTIR, noting that the major change is to focus on end user (i.e., the emergency responders). Other goals include provisions for planning, training, equipment, and technical assistance. He noted that the SEPTIR name might be somewhat misleading since the goal of the program is not so much to standardize response

capabilities across different areas as it is to provide a coordinated and appropriate response for each one.

Budget Cuts

The current budget for TEPP in FY 1996 is \$0, said Mr. Cruickshank. This means that there is no funding currently in place for TEPP/SEPTIR activities past September 30, 1995. The activities are now ramping down. The probable impacts of the budget scenario are: 1) SEPTIR will be postponed, 2) EM TEPP training (RERO, RETLR, TETRA) will be greatly reduced, 3) TEPP exercises (TRANSAX, WIPPTREX) will be deferred, and 4) elimination of emergency management support for campaign specific training and planning meetings.

Technical Review

Mr. Cruickshank proposed a technical review role for the TEC/WG in the SEPTIR project. The review would include elements such as the validation of the implementation strategy, identifying appropriate organizations for technical review groups, suggestions for building national consensus, and review and comment on the various draft documents.

He reviewed a list of proposed review participants from the TEC/WG membership. Organizations included the Association of American Railroads, the Conference of Radiation Control Program Directors, the International Association of Fire Chiefs, the International Association of Chiefs of Police, the National Association of Counties, the National Association of Emergency Medical Technicians, the National Congress of American Indians, the National Coordinating Council on Emergency Management, the National Governors' Association, and the National Emergency Management Association. Mr. Cruickshank asked participants to share ideas for additional organizations or let him know if a listed organization was not interested in participating.

The floor was opened for questions following Mr. Cruickshank's presentation.

A participant was interested in the sequence in which the program would mesh with routing. Mr. Cruickshank responded that this project is designed to determine and address what the needs are for emergency responders. If routes are selected first it may require more outlays of resources. Mr. Brancato added that shipments will use the interstate system and at some point a DOE shipment will pass through a state. There is no way as a national program that every emergency responder along each route can be trained. There are programs that will have sufficient concentration along certain routes which will have to deal with specific actions prior to selecting people. This is very program specific, he said, and Mr. Cruickshank is trying to determine what we need to train emergency responders in and then this information can be passed to the programs as a tool to do training more efficiently.

Another participant wanted to know if the infrastructure and resources would be in place to enable a state to purchase a RETLR course if it so desired. Mr. Cruickshank responded that he did not know—if resources are available, the instructors will be there. Mr. Brancato added that there is a lot of uncertainty.

One participant asked if Emergency Management will continue to be involved in TEC/WG. Mr. Brancato responded that it is Mr. Cruickshank's intent to use TEC/WG, but it is ultimately up to the director of the office in which Emergency Management will be under after the reorganization.

Plenary Session #4
National Survey on Public Perceptions of Transportation Risks
Wednesday, July 19, 1995
8:30 a.m. - 9:55 a.m.

Hank Jenkins-Smith (Director, University of New Mexico Institute for Public Policy) updated participants on his activities in conducting a study of public perceptions of transportation risk. Dr. Jenkins-Smith had previously addressed the TEC/WG in July 1994 and led a breakout session at the January 1995 meeting. He conveyed that there are two studies. One study, which has been completed, addressed spent nuclear fuel transportation in North Carolina and South Carolina. The second study, which is underway, is a larger national survey.

Spent Nuclear Fuel Transportation in North Carolina and South Carolina

Dr. Jenkins-Smith presented the research questions for this study: (1) has the policy debate moved public opinion, particularly with regard to domestic and international risks and benefits; and (2) how has public perception changed over the life of the Urgent Relief Acceptance of Foreign Research Reactor Spent Nuclear Fuel program. He described the research method which included two waves. The first wave was conducted in late summer/early fall 1994 and included 1202 respondents from 16 counties along the initial rail transport route. The second wave was conducted in late spring/early summer 1995 and included 690 panel respondents (randomly selected respondents from wave 1 who were re-interviewed in wave 2) and 514 control respondents (newly selected respondents serving as a control to evaluate whether having been previously surveyed biased their responses). Responding to a question asking why the control cooperation rate was lower and did this affect conclusions, Dr. Jenkins-Smith replied that newly involved individuals (those in the control group) are not as interested in discussing a controversial policy debate and there may be some small effects, but they knew the individuals who were unresponsive.

In September 1994, individuals were asked if they had heard about the foreign spent nuclear fuel return program. The study found that panel knowledge increased between September 1994 and May 1995. Knowledge for non-panel respondents decreased, but not by a statistically significant amount. They also found that 17% of individuals contacted in September 1994 did not remember discussing the program when they were contacted again in May 1995. This is an important point for managers to realize that people do not always retain what they hear from the media and other sources.

Respondents were also asked that if they had heard about the foreign spent nuclear fuel return program, did they talk to others about program. About 60% of the panel responded that they did discuss it with others. 44% of non-panel respondents replied that they had spoken to

family or friends.

The study also addressed understanding the perception of risks in terms of risks versus benefits. The study found highly statistically significant changes in perception of the risks associated with storing the spent nuclear fuel in Europe between the two waves. There was an increase in the number of respondents who believed the risk increases if the spent nuclear fuel is stored in Europe. There was also a change when respondents were asked about the risk of storing the spent nuclear fuel at Savannah River Site. In the second wave, more of the respondents perceived the risk to be less if the spent nuclear fuel is stored at Savannah River Site. These findings point to the occurrence of a systematic pattern of changes.

The study also examined the perception of domestic risk considering transportation by train and by truck. There was a statistically significant decrease in the perception of risks associated with train transport. However, the study found an increase in the perceived risk of transportation by truck. Focus Group studies were conducted to help explain the increase and found that because people see trucks on the highway during daily travels, they are more likely to see trucks transporting spent nuclear fuel as risky.

If people care about what is being done or if they see a reason for doing it, they will assign it less risk, said Dr. Jenkins-Smith. The aspect of perceived competence of the people making decisions also plays a significant factor. The perception of DOE's competence increased and this was the only statistically significant change in groups. Other groups included fire departments, state officials, local police, and state troopers. Perceptions of competence of responders actually decreased slightly, said Dr. Jenkins-Smith; he attributed this to the claims made by some media sources that responders, at least before the beginning of the movement, were ill-equipped to respond to a radiological incident.

A participant was interested in knowing if general questions were asked about trust. Dr. Jenkins-Smith responded that they were. He noted one example in which respondents were asked how competently the program was carried out. The mean response was around six on a scale of one-to-ten, with most people being on the upper end of the scale. What is generally seen is that people trust more the closer they are to the official (i.e., locals officials are trusted more).

Dr. Jenkins-Smith also discussed the international implications of the study. It appears it took a while for international arguments to be factored in, but there was a connection made over time with returning the spent nuclear fuel to the United States and mitigating proliferation. In general, people see risk for proliferation of nuclear weapons. There was an increase in the perceived risk of terrorism; however, this increase could have been impacted by the Oklahoma City bombing. There was also an increase in the perception of risk associated with terrorists acquiring the spent nuclear fuel if it was left in Europe.

In September 1994, 60% of respondents thought the spent nuclear fuel should be left in Europe and 40% thought it should be brought home. In May 1995, 46% responded to leave it in Europe and 54% said to bring it home. Over time there is a readjustment of risk. Dr. Jenkins-Smith said the word "home" was deliberately chosen to associate respondents with familiar connotations. Considerable discussion followed on the role survey instruments did or did not have in educating the public being surveyed.

Between September 1994 and May 1995, strong opposition decreased. The tolerance (as opposed to acceptance) for programs is increasing. "Tolerance" is a term being used more and more by British analysts of public opinion, said Dr. Jenkins-Smith, since "acceptance" may be an unattainable goal.

Dr. Jenkins-Smith summarized the results of the study:

- perceptions of domestic risks have moderated,
- perceptions of international benefits have risen, and
- support for foreign spent nuclear fuel return program has risen,

but:

- changes are clearest in the panel,
- changes in overall population are in the same direction, but occur more slowly, and
- changes in trust for DOE and local emergency responders.

He also highlighted the potential policy implications. Results of the study indicate that it is possible for the public: (1) to understand complex policy issues; (2) that what the public knows matters; (3) that trust can, and did, increase for DOE (the department responded to concerns, people were kept informed); and (4) that the reasons given for programs matter a lot—DOE should tell people "why" in terms that make sense to them, and this helps lower opposition to programs.

Dr. Jenkins-Smith discussed the second study which is a National Transportation Study. The objectives of the study are to gain an understanding of public perceptions of risk across classes of radioactive materials; gain an understanding of why the public expresses fear over the transportation of radioactive materials; and what types of program modifications increase support.

The research method being used for the study is a base sample of 1200 individuals nationwide with an additional 1200 individuals along select nationwide corridors.

The study will look at three classes of wastes: spent nuclear fuel, medical/industry radioactive materials, and mixed wastes. In an effort to keep the survey manageable in length, respondents will be assigned to one of the three classes of wastes.

Research questions included in the study are:

Are there differences in how the public perceives the risks associated with the transport of different classes of radioactive materials?

Do different perceptions of risk associated with different classes of material lead to greater levels of opposition for some types of radioactive materials?

What types of actions are considered appropriate for expressing opposition to the transport of radioactive materials through different communities?

Are there specific policy actions that would make the public more receptive to having a radioactive materials transport route near their communities?

Stigmatization: Is there a stigma attached to communities along radioactive materials transportation corridors that could affect local tourism, business, and industry?

Dr. Jenkins-Smith shared with the group preliminary findings from the study. Regarding perceptions of transportation risks, respondents associated greater risk with the transport of the three classes of radioactive materials than with driving their cars on state highways. Across the board, they found that spent nuclear fuel is viewed as the riskiest of the three classes. This is despite the fact that they do not go into detail with technical definitions. The survey designers chose to use language that the public is likely to hear in order not to manipulate responses and it appears that people generally understand what "spent" means. A participant questioned the use of the word "spent" cautioning that it may diminish the threat. Dr. Jenkins-Smith responded that they have looked at this word and the way it is being used in the policy debate.

Other preliminary findings indicate that people believe that states should have the final say in designating routes for transporting radioactive materials. Respondents also believe that tourism will be affected, but not jobs.

The floor was opened for questions following the presentation.

A participant was interested in knowing if respondents were asked about their sources of information. Dr. Jenkins-Smith responded that this was asked in the foreign spent nuclear fuel study. For those who knew less, an overwhelming number indicated that they received their information from television. For those who knew more, most received their information from the newspapers. Very few respondents said they received information directly from the source, indicating most information is filtered through the media.

Another participant thought it would be interesting to conduct the same study in Europe for comparison. Dr. Jenkins-Smith responded that studies have been conducted in Europe which show the perception of risks between France and the United States does not differ much, but

the acceptance of nuclear program in France is greater.

One participant was interested in the significance of environmental justice issues in the studies and what the findings mean. Dr. Jenkins-Smith responded that both blacks and Indians were more likely to believe that the routes were chosen for minority-biased reasons. The perceived levels of trust for these populations tended to favor federal officials more than state officials and they tended to have had less exposure to the programs than other populations. In terms of rural/urban distinctions, rural areas were less informed, the rural level of trust was greater, and rural areas appear to have less opposition/concern than in urban areas.

A participant expressed concern over the coupling of medical and industry materials in that it has created bias for public concern about industry practices. Dr. Jenkins-Smith responded that this is an interesting point and it would be interesting to separate these out in a subsample. However, the usage comes back again to the way it would be framed in public debate.

Plenary Session #5
Commercial Vehicle Safety Alliance Program Update
Wednesday, July 19, 1995
9:55 a.m. - 10:25 a.m.

Jim Daust, who represents the Commercial Vehicle Safety Alliance (CVSA) on TEC/WG, provided an update on the activities of the CVSA. Mr. Daust reviewed four major items with the group: CVSA organization update, pilot inspections update, outreach programs, and tribal contacts.

CVSA Organization Update

Mr. Daust informed participants that all 50 states, as well as all Canadian provinces and Mexico, are members of CVSA.

Pilot Inspections Update

Mr. Daust stated that CVSA had used the cesium capsule return campaign as a pilot program for inspections. CVSA had previously planned to use WIPP shipments as a pilot; however, because of delays in opening WIPP for Test Phase operations, they chose to use the cesium shipments. Mr. Daust summarized the inspections that had occurred during the pilot. CVSA conducted a total of 79 inspections on 20 shipments. The first inspection occurred on May 18, 1994 and the last inspection was on June 1, 1995. Colorado and Washington conducted inspections as the point of origin and destination. Idaho and Oregon also conducted inspections. Wyoming and Utah honored the decals. During the 79 inspections, 12 potential out-of-service violations were identified. Mr. Daust compared the violations against national averages for North American Standard out-of-service violations. Nationally, 21.5% of the inspections find equipment violations and 6.2% find driver violations. For the cesium pilot, 4% of the inspections found equipment violations, with no driver violations. Eleven percent of the cesium pilot inspections found out-of-service violations of the Enhanced North American

Standards.

An after action report is being prepared by Battelle and will include introductory material, data findings, inspector surveys, and driver surveys. Mr. Daust noted that the inspector surveys provided a good evaluation of the inspections. The surveys are an added function for the inspectors and addressed issues prior to inspection, actual inspections, and general issues.

Through the surveys, CVSA identified a need to use its RAD Inspection newsletter as more of a training tool and saw there was a consensus among the inspectors that refresher courses were necessary. Overall, the opinion was that the inspections went well. They found that everyone worked together, generally, the equipment was in good condition and when repairs were needed, they were completed promptly. The conference calls were also seen as a positive activity. There was unanimous support for the enhanced standards, noting public opinion demands that these shipments be held to higher standards.

CVSA found that inspectors generally did not have access to TRANSCOM and depended on calling the drivers for tracking, which they reported worked well. Most inspectors thought the forms were adequate and recommended only minor changes. The decal program seemed to work well. The decals are good for only one trip and were placed on at the point of origin and removed at the destination.

The inspectors ranked Tri-State equipment at around nine (on a scale of one to ten) and drivers were ranked closer to ten. The cooperation of drivers and the carrier was rated as excellent. Inspections in poor weather were sometimes difficult, but no problems were noted with safe parking.

General issues that were addressed as a result of the pilot included whether there is a need for enroute inspections. Some thought such inspections were necessary and the fact that some violations of the enhanced standards were found reinforced this belief. However, most thought that the carrier should only be stopped when a violation is detected. Respondents generally thought that escorts were not necessary. Escorts should be the exception, not the rule as they draw too much attention. Through the survey, CVSA also found that respondents believed that shipments of nuclear materials should meet a higher standard, and they also believed that other hazardous materials shipments should be brought to higher standards. Finally, they concluded that the cesium shipments should serve as a model for designing a safety program.

CVSA also conducted a drivers' survey as part of the pilot. The drivers believed that the inspections should be consistent in all states and all states should conduct the enhanced inspections. The drivers noted that the inspectors' attitudes toward them were very positive and appreciated the inspectors going through the enhanced procedures inspections with them.

CVSA was concerned about the number of brake violations that were found. However, the drivers explained that the trailers did not have self-adjusting brakes. In an effort to ensure that trailers are equipped with self-adjusting brakes (and all trailers manufactured after 1994 have

them), CVSA recommends provisions addressing this aspect be included in any future motor carrier evaluation.

Mr. Daust also mentioned the ongoing nitric acid shipments, noting that the Western Governors' Association had requested that enhanced inspections be conducted in conjunction with these shipments. The request has been approved. To date, 12 inspection reports have been received for the nitric acid shipments; however, the results to date have not been as good as with the cesium shipments. There have been two out-of-service violations and several more minor violations, such as log violations. CVSA is expecting a lot of good data from these shipments. Brad Nelson noted that a truck did break down with engine trouble in Utah the previous day and it is out of service.

CVSA is considering future shipments for pilot inspections. Possibilities include the research reactor spent nuclear fuel being transported from Tennessee to South Carolina, as well as other DOE shipments.

Mr. Daust mentioned that they would like to make a recommendation to the full CVSA body on pilot program expectations in 1997, noting they have excellent support from state enforcement agencies.

Outreach Program

Mr. Daust mentioned outreach activities used by CVSA. CVSA has a display unit which they exhibit at various meetings and conferences around the country. They also have a newsletter and speakers, videos, and brochures.

Tribal Contacts

Mr. Daust noted that this is a fairly new area for CVSA. They have been in contact with the National Congress of American Indians and are attempting to identify other tribal representatives as well as attend tribal meetings to assist tribal enforcement authorities in gaining familiarity with the enhanced standards pilot program.

During the question and answer period following the presentation, a Western Interstate Energy Board representative from Wyoming clarified why Wyoming had honored the decal and not conducted inspections. He relayed that this was done by default as most of the shipments came through the state during late night/early morning hours and it was not practical to send the inspectors out because of the time of shipment.

Another participant registered surprise about the inspectors' responses concerning the use of TRANSCOM, noting that this indicates a communication problem between inspectors and state officials with access to TRANSCOM. Someone in every state along the cesium route had TRANSCOM access, he said.

One participant asked where the out-of-service violations were found and if they supported use of enroute inspections. Mr. Daust responded that the violations were fairly well

distributed and this may support the concept of enroute inspections. This prompted a question as to whether enroute inspections were being conducted for the nitric acid shipments. Mr. Daust responded no as there was not adequate time to train inspectors enroute for the enhanced standards. Inspections for the nitric acid shipments were also different from earlier pilot tests because the radioactivity level was so low, he said.

Plenary Session #6
DOE and Local Communities: Planning Our Future
Wednesday, July 19, 1995
2:15 p.m. - 2:40 p.m.

Joan Glickman (Economic Development Specialist, DOE's Office of Public Accountability) provided an update on current activities between DOE and local governments and EM's project to determine how EM sites will be used in the future. In her overview, Ms. Glickman noted that DOE is currently drafting a Statement of Principles on DOE and local government relationships which will reinforce the importance of local government involvement and will emphasize direct and open relationships. The principles, which are expected to be released in September, cite transportation and future use planning as important areas of cooperation.

Ms. Glickman discussed the opportunities that are available through comprehensive planning, especially when emphasis is placed on new principles to guide the planning process. Ms. Glickman highlighted several of these principles which included public involvement, integrated planning, ecosystem management, the iterative process (which allows for adaptive management), innovative approaches (sites will be asked to develop these and local officials at Hanford have already expressed an interest in developing their own process in conjunction with DOE), and strategic data collection/EIS linkage (which serves as a better way of looking at NEPA requirements).

Ms. Glickman also spent time discussing the future use project. She noted efforts are underway to draft a future use report which will include site land use recommendations. Sites are being asked to submit their recommendations by December 1995, with the Future Use Report expected in early 1996. The report will also contain an "excess" list and will address disposition of excess lands to communities, the Bureau of Land Management and other entities. There are plans to include guidance for both internal and external use to facilitate a better understanding of the disposition process for excess lands, said Ms. Glickman. However, at this point, they are just beginning to identify lands that will be excess.

The first part of the project focuses on developing land use recommendations. The primary purpose is to help guide cleanup and to work with the public to help define underlying assumptions about future land uses. In order to develop meaningful land use recommendations, it is necessary to decide what currently is being done on sites and if there are anticipated uses at the site for the future. In an attempt to answer these questions, the sites have been asked to do scenario analyses, especially in situations where they are not sure of

specific activities that will need to be undertaken.

The sites have been asked to involve regulators, states, and EPA in the process, said Ms. Glickman. There is an awareness of the need to be sensitive to cultural/historic resources and the sites have been asked to identify such resources. The sites are responsible for developing their own method for involving stakeholders. Some sites have chosen to use Site Specific Advisory Boards while others have established new bodies. Sites have also been asked to consider waste management strategies as much as possible.

Ms. Glickman highlighted anticipated benefits of future use planning. Future use planning could: (1) guide ongoing and new activities; (2) generate ideas of how to facilitate reuse of land and facilities; and (3) may be an avenue for bringing down costs associated with "landlord" responsibilities of DOE. The second and third parts of the project are the development of "how to" guides and the excess list. These will help promote strategic management of land and facilities; target facilities with reuse potential; encourage public/private and intergovernmental partnerships; identify facilities with significant landlord expenses; and encourage dual use and divestiture.

Ms. Glickman reviewed the connections between the future use project and transportation and emergency planning. She noted that the land use recommendations will likely have far-ranging waste management and transportation implications. The cross-cutting implications highlight the need for integrated planning, both internally and with surrounding communities. Finally, a renewed emphasis is being placed on public and local government involvement.

The floor was opened to questions. A representative of the National Congress of American Indians (NCAI) asked for clarification as to which governments the efforts of the future use project will apply. Ms. Glickman responded that they are encouraging all levels of government to become involved as it is not an exclusive issue to be addressed locally.

The NCAI representative also asked about the implications of legislation that would prohibit land transfers at Hanford absent a legislative mandate. Ms. Glickman responded that she did not know if anyone from EM had submitted testimony on this issue. She was aware that a lot was happening with regard to arid land issues and it will be an area that will be of continuing interest.

Judith Holm informed Ms. Glickman that the TEC/WG will be meeting again in January and would be available to provide feedback on the report if she was interested. Ms. Glickman asked participants who were interested in site-specific activities to contact her and she could provide further information. Ms. Holm concluded by noting that states will be interested in issues dealing with transportation infrastructure.

Plenary Session #7
DOT Activity Update
Wednesday, July 19, 1995
2:40 p.m. - 3:00 p.m.

Tim Knoll from the U.S. Department of Transportation (DOT) Federal Highway Administration (FHWA) Office of Motor Carriers provided an update of current activities within DOT. Mr. Knoll explained that the Office of Motor Carriers regulates the trucking industry and is also responsible for enforcing motor safety and hazardous materials regulations.

Mr. Knoll indicated his office is responsible for a wide range of regulations and numerous new regulations have been introduced in the last several years. In an attempt to educate people on the new regulations, technical advisory groups (TAGs) have been convened. TAGs have been formed to address specific areas including one which concentrates on radioactive materials shippers and carriers and applicable DOT regulations. They have also been concentrating on DOE shippers.

Mr. Knoll also noted that his office has conducted enforcement follow-ups with Sandia, Los Alamos, and the Nevada Test Site. He discussed compliance reviews and the fact that DOE contractors must have such a review like other carriers and must receive a safety rating as well. One problem that has emerged in conducting the compliance reviews is that all subcontractors as well as primary contractors must have their own DOT number and safety rating, and this has not always been the case. Mr. Knoll informed participants that compliance reviews are conducted for anyone dealing with radioactive materials, which includes facilities such as hospitals.

Mr. Knoll discussed changes that have occurred in regulations, noting that there is now a shipping paper retention period requirement included in the regulations. He also informed the group that RSPA is holding series of meetings to attempt to lessen regulatory impacts on shippers and carriers. He also noted that the registration fee for hazardous materials carriers (as required by HMTUSA) will not be raised.

The floor was opened for questions. One participant was interested in knowing that if the discussion concerning DOE contractors meant shippers as well. Mr. Knoll responded that was correct.

Another participant asked if the regulations had been released on record retention. Kevin Blackwell with the Federal Railroad Administration responded that they had not been released. RSPA has placed a notice in the *Federal Register* that indicates the regulations would be forthcoming. A question was asked as to whether electronic filing of information is acceptable. Mr. Knoll responded that DOT has accepted electronically filed information provided it is reproducible.

A representative of the Western Governors' Association was interested in the status of the mode and route study and the dedicated train study. Mr. Blackwell responded that he did not know the status of the mode and route study, but the dedicated train study is currently in the Research and Development branch of the Federal Railroad Administration. He noted some questions had been raised concerning the fact that a cost-benefit analysis had not been addressed in the current report. HMTUSA did not require a cost-benefit analysis, he said, but given the current regulatory climate in Washington it was felt that performing one would be beneficial. He offered to provide phone numbers for anyone who was interested.

A representative of the Sierra Club asked if states have the authority to preclude a shipment of radioactive materials through interstate highway tunnels. Mr. Knoll responded that DOT has always allowed states to determine preferred routes consistent with federal law. Markus Popa agreed that states can designate alternate routes, but added that tunnels were not automatically excluded for RAM shipments as they were for some other hazardous materials. A representative of the National Conference of State Legislatures also said that states can develop an application process for tunnel travel.

A participant was interested in the status of a national computer tracking system. Mr. Blackwell responded that nothing has been released since the proposed rule and this is also a RSPA issue. A representative of the railroad industry shared that the railroads have a comprehensive tracking system for hazardous materials shipments and this has been made available to the Houston and Laredo fire departments. It is entering its second phase now.

Rich Brancato asked a question concerning registration fees. He was interested in knowing if there was an allocation formula for fees going to states for emergency response activities and if this money was available for radioactive material emergency response activities. The response was that all the money is for hazardous materials and the amount going to the state is relatively small. Two participants shared that their states, Maryland and Colorado, are including radioactive materials training in hazardous materials training. Discussions followed about the HMTUSA fee structure system. Originally, the hazardous materials permit fee program was to be used to support hazardous materials emergency response training programs, but the amount of revenue collected was a good deal less than anticipated. DOT had planned to implement a tiered fee structure, but did not implement the system after heated opposition from the shipping industry.

At the conclusion of the presentation, it was suggested that RSPA be invited to participate in the next TEC/WG meeting because many of the participants questions related to RSPA activities.

SECTION II: BREAKOUT SESSION SUMMARIES

A series of breakout sessions addressed issues within three general topics: 1) Transportation Operations; 2) General Planning and Public Information & Education; and 3) Routing and OCRWM's Section 180(c) plans. DOE managers led the sessions and participants were given the opportunity to attend each session. The discussions from the individual breakout sessions have been compiled into one summary. A summary for each topic follows and includes historical information on the task plans, highlights of discussions that occurred in the sessions, key points from the discussions, and any action items which resulted from the discussions.

Breakout Session A. Transportation Operations

Task Plan II-C.1: Consistency between NRC Notification Regulations and DOE Notification Policy

History

DOE has committed to providing pre-notification to Indian tribes along spent fuel shipment routes that is consistent with NRC regulations and DOE policy, and to provide TRANSCOM access for states and tribes wishing to use the system for notification (not certified mail as is currently required).

Discussion

Markus Popa (Operational and Activities Team, Office of Civilian Radioactive Waste Management) stated that in May 1994 the RW program had sent a letter to the NRC requesting written confirmation that (1) pre-notification of Tribes along shipping routes is not a violation of the safeguards regulations, and (2) use of TRANSCOM as a communications tool is also in conformance with the regulations.

Mr. Popa added that NRC had not replied to the letter; it appears that NRC will not comment on either policy until they are described in the license application for a storage facility as required by 10 CFR 73.37. RW's *Safeguards Transportation Plan* will accomplish this goal and will be developed in FY 1996, said Mr. Popa; further activity by DOE in this area depends on what NRC decides. He went on to state that preliminary indications are that the Tribal pre-notification issue will not be a problem; use of TRANSCOM may be. Larry Blalock (Team Leader, Office of Transportation, Emergency Management and Analytical Services) said that although the regulations call for notification via certified mail, the NRC has unofficially accepted the use of the TRANSCOM system. A Western Energy Interstate Board (WIEB) representative commented that during the cesium shipments, the TRANSCOM system was "brought to its knees" because of so many users on-line. Other participants characterized their experiences with the system differently.

One participant asked what enforcement mechanisms existed for the NRC safeguards

9regulations. A railroad spokesman recalled that the FBI has the authority to enforce the law against violators in state, local or tribal governments, but that politically "you can't hide a train". Personal penalties can be assessed, depending on the circumstances, and like other law enforcement officials the FBI has wide latitude in deciding whether and how strictly to enforce the law.

Key Points

- DOE has notified NRC it plans to (1) pre-notify Tribes along shipping routes, and (2) use TRANSCOM to provide such notification to states and tribes wishing such access.
- To date, NRC has not made a determination regarding DOE's plans, and it probably will not do so until DOE submits the plan as part of its *Safeguards Transportation Plan* in FY 1996.
- Unless the NRC declines to approve either or both of the above, no further DOE action is necessary; this activity should be closed out.

Action Item

Close task plan.

Due Date

7/95

Task Plan II-C.2: DOE "Guidance" for Transportation Operations for Bad Weather and Road Conditions

History

In earlier meetings, TEC/WG participants have asked DOE to examine WGA's guidelines for avoiding bad weather and road conditions for WIPP shipments for potential applicability to other DOE shipments of radioactive material. Based on discussions from these and other meetings, DOE (EM) has drafted a "guidance" document outlining factors DOE managers should consider when planning for selected shipments of radioactive material.

Discussion

The preliminary draft guidance was discussed. TEC/WG members noted that this version of the guidance document was better and several comments (see key points below) were provided. Once revised, the draft guidance will be resubmitted to TEC/WG members for comment. The discussion also covered developing a separate guidance document for rail shipments, which is covered in the new task plan II-C.11.

Key Points

- Revisit WIPP Procedures for additional general items, including
 - Road Conditions/Visibility
 - Bad Weather en route.
- Develop closer working relationship with NOAA and private services regarding long range plans and technology advances.
- Guide assumes State/Tribal Awareness of movements which needs to be assured through the "Program Manager's Guide to Transportation Planning" and the "Prospective Shipments Module."

Action Item

Redraft guidance document.

Due Date

1/96

Task Plan II-C.3: Use of "Escorts" for DOE Shipments

History

The issue of escorts for selected DOE shipments of radioactive materials has been discussed at earlier TEC/WG meetings; at the last meeting in January, DOE (EM) agreed to prepare a draft "guidance" document for DOE program and transportation managers that would explore what roles and responsibilities escorts might fill in a transport campaign.

Discussion

The draft guidance document was reviewed by the TEC/WG. Most of the discussion (see key points) revolved around the need for a clearer definition of the "escort" concept, i.e., purpose, roles and responsibilities, skill mix, etc., and an Analysis of Benefits and Costs. The "escort" concept is to be integrated with the Emergency Management Division work concerning response levels and appropriate training and equipment needs. TEC/WG discussion points included the decrease of training dollars, escorts might be a more useful resource, volunteer and professional responder turn-over, etc. Also, escorts on rail transportation need a separate guidance document (TBD).

Key Points

- "Escorts" and "training" are not EITHER/OR situations—balance is required.
- Responder turnover is a problem.
- Even with "escorts," some training/education will be required.
- Need an ABC of "escorts" versus "training".
- Jim Cruickshank's initiative regarding defining response levels and training/equipment requirements.
- Reduced FEMA/DOE/etc. training dollars.
- Need better understanding of purpose/roles and responsibilities/expectations of "escorts".
- This draft "guidance" document is oriented toward highway transport and DOE should consider a similar initiative for rail transport.

Action Item

Redefine the DOE concept of "Escorts" (including their purpose, skill requirements, legal standings, etc.); refine "emergency response training/equipment needs; conduct an Analysis of Benefits and Costs of these two envelopes.

Due Date

1/96-7/96

Task Plan II-C.4: Transportation Operations Manual

History

The Transportation Operations Manual (TOM) has been developed by DOE for use by traffic managers in the field. The TOM is a guidance document for DOE staff and contractors to use in planning for and implementing technical and regulatory requirements in the movement of hazardous (including radioactive) material. The TOM was completed in August 1994.

Discussion

Mr. Blalock indicated that this activity has been completed, and that a companion publication, the *Program Managers' Guide to Transportation Planning*, was available in the meeting materials and should be stamped "draft." No further action is needed for this activity, he said. A WGA representative said that he had found the TOM to be very well written and useful.

Key Points

- TOM has been completed and distributed as needed. No further action is necessary.

Task Plan II-C.5: Have CVSA Evaluate DOE's Motor Carrier Evaluation Program (MCEP)

History

DOE has developed the Motor Carrier Evaluation Program (MCEP), which assesses motor carriers that transport hazardous (including radioactive) materials for DOE. This activity is conducted in addition to the DOT's inspection, auditing, and enforcement programs. In an earlier TEC/WG meeting, participants asked the CVSA to undertake an analysis of the MCEP to determine if lessons learned from its pilot inspection program could be applied to DOE evaluations.

Discussion

Mr. Blalock stated that CVSA has completed its evaluation of the MCEP, and that CVSA seemed satisfied with the program. No significant improvements were offered, he said.

Key Points

- This activity has been completed and should be closed.

Task Plan II-C.9: DOE "Courtesy Communications" to State and Tribal Governments About HRCQ Shipments

History

DOE has committed to providing courtesy prenotification to states and tribes along HRCQ shipping routes.

Discussion

Mr. Blalock stated that while DOE has no regulatory requirement to provide courtesy notifications to states and tribes for impending shipments of HRCQ materials, the Department has committed to providing such notification. He stated that participants in earlier TEC/WG meetings had recognized that not all shipments of radioactive material justify such notifications; if the HRCQ definition is not an appropriate "cutoff point" for deciding what shipments get notification treatment, he said, it is incumbent on the TEC/WG membership to point this out.

Key Points

- This activity has been completed and should be closed.

Task Plan II-C.10: Develop DOE-Wide Definition of "Shipping Campaign"

History

In past TEC/WG meetings, participants have discussed at length what constitutes a "shipping campaign" i.e., what considerations (such as activity level, uniqueness of material, route and mode selected, and numbers of shipments) require DOE and its stakeholders to work more closely together in advance of a shipment to resolve often complex technical, regulatory and political issues.

Discussion

The draft definition was reviewed by the TEC/WG members with comments ranging from "why do we need this" to "a need to revise the definition." This task is pending further assessment of the usefulness of technology such as the Prospective Shipments Module, TRANSCOM, and Smart Tag to inform stakeholders about shipment activity. States and Tribes can determine which shipments are of interest versus DOE Program Managers trying to fit their activity into a definition that will not meet all operational, managerial, and political considerations.

Key Points

- Very difficult to develop a definition that will meet all operational, managerial, and political considerations
- Range of stakeholder interest is from a single drum of TRU-contaminated materials to an SNF shipment
- State and Tribal governments need better information concerning projected material shipments
- Prospective Shipments Module, TRANSCOM and Smart Tag may replace or overtake this task

Action Item

Due Date

This task is pending while systems such as the prospective shipments module and other data communication systems mature.

Task Plan II-F.1: Work with CRCPD to revise directory of enforcement agencies to include roles and performance indicators

History

Through a cooperative agreement, DOE has supported the CRCPD in producing and distributing a directory of state officials having authority over the transportation of radioactive materials. At an earlier TEC/WG meeting, participants requested that CRCPD expand its listing to include additional detailed information about roles and responsibilities of different enforcement and emergency response authorities.

Discussion

Participants noted that the additional information requested has been included in the most recent edition of the CRCPD directory, which was released in January 1995.

Key Points

- The directory has been updated to reflect comments made by directory users. No further action is required.

Task Plan II-F.5: Study Issues Related to Rail Inspection and Enforcement Procedures

History

At an earlier TEC/WG meeting, participants had asked DOE to look into developing a "CVSA-style" inspection program for rail shipments of spent fuel.

Discussion

Mr. Popa stated that this issue is one where DOE needs to become better educated about the law regarding rail inspections. Inspection and enforcement authority for rail inspection needs to be clarified, he said; the modal differences and regulatory framework for truck and rail shipments make applying uniform criteria difficult. For instance, states that participate in the Federal Railroad Administration (FRA) inspection training may do safety inspections of rail equipment, but FRA delegates the radiological component of enforcement to the NRC. Illinois has been performing inspections on rail shipments for years, and it is unclear under what specific authority these inspections are being done.

A representative of the Shoshone-Bannock Tribe added that roles and authorities for tribes is even more complex, since the authority they retain derives from the particular treaty between the tribe and the federal government. An Association of American Railroads representative said that the issue of general versus dedicated trains becomes important in this context; railroads are not excited about the prospect of stopping an entire freight train to inspect just one car. Other participants suggested that looking at the experiences from earlier campaigns (shipments in Illinois, the shipment from Three Mile Island) might be instructive.

Key Points

- There are key differences between the regulatory framework for truck inspection and enforcement and that for rail shipments; consequently, it may be more difficult to draw lessons learned from the CVSA process and apply them to rail shipments.
- DOE will revise its task plan and will determine what the underlying regulatory framework actually is, and will then report back to the group on progress made and appropriate next steps.

Action Item

Determine status of existing inspection/enforcement programs

Due Date

8/95

Task Plan II-G.3: Have CVSA Look at Coordination to Minimize Enroute Inspections

History

Through the cooperative agreement established between CVSA and DOE, a pilot uniform inspection process has been established by state inspectors that permits reciprocity of inspections from state to state. Reciprocity between states can minimize transit times for such shipments if enroute states are assured that origin and destination inspections (plus inspections in transit as needed) are adequately performed.

Discussion

Mr. Popa stated that pilot testing of the enhanced inspection procedures is ongoing, with CVSA continuing to gather data from recent shipping campaigns, including the return of cesium capsules to the Hanford site and the movement of LSA nitric acid to the United Kingdom.

He added that this activity is virtually identical to Task Plan II-G.7 (Look for additional campaigns to test CVSA procedures) and that the two task plans ought to be combined. No objections to this approach were raised.

One participant asked Mr. Jim Daust of CVSA whether the more complex inspection scheme has ever created safeguards problems due to the inspections that had to be scheduled at state borders. Mr. Daust said that to his knowledge no breaches of safeguarded information had occurred. He added that the inspectors in question were very often the governors' designees for advance notification anyway.

Key Points

- The enhanced inspection procedures program developed by CVSA is ongoing and is being used to gather data from ongoing shipping campaigns. This process will continue, with modifications made as needed; no new activity is required at this time.
- Task Plans II-G.3 and II-G.7 should be combined into one task plan.

Action Item

Combine above-referenced task plans.

Due Date

7/95

Task Plan II-G.6: Contact EEI/UWASTE to have utilities subscribe to CVSA procedures

History

In earlier meetings, TEC/WG participants have requested that DOE approach the nuclear industry to seek their cooperation in applying the CVSA enhanced inspection criteria to commercial shipments of radioactive materials in order to gain more data from the enhanced criteria's application.

Discussion

Mr. Popa noted that the Edison Electric Institute's nuclear component had recently been reorganized with other nuclear industry organizations and was now part of the Nuclear Energy Institute. He indicated that a meeting attendee, Mr. Tommy Smith, represented NEI and that DOE would work with Mr. Smith to address this issue.

Key Points

- DOE will work with NEI to explore the feasibility of applying the CVSA criteria to commercial shipments for the purposes of gathering more data on the enhanced standards.

Action Item

Report on status of this activity at the next TEC/WG meeting.

Due Date

12/95

Task Plan II-G.7: Look for Additional Campaigns to Test CVSA Procedures

History

(This activity has been combined with Task Plan II-G.3, above.)

New Issue:

Develop a task plan for "DOE 'Guidance' for Transportation Operations for Bad Weather and Rail Road Conditions"

This is a new task for rail shipments which will build on the highway Bad Weather and Road Conditions Guidance efforts. TEC/WG members recommended this new task (see key points) since rail shipments are unique. Information will be obtained from the FRA, AAR, railroads and other interested parties. A draft guidance will be developed and submitted to TEC/WG members for comments.

Key Points

- Need to evaluate this with FRA, AAR, etc. input.
- Revisit WIPP Procedures for additional general items, including:

- Road Conditions/Visibility
- Bad Weather en route.
- Develop closer working relationship with NOAA and private services regarding long range plans and technology advances.
- Guide assumes State/Tribal Awareness of movements which needs to be assured. through the *Program Manager's Guide to Transportation Planning* and the "Prospective Shipments Module."
- A merger of the highway and rail guidance documents maybe advisable.

Action Item

Develop a draft task plan and submit to TEC/WG

Due Date

1/96

Breakout Session B.
General Planning and Public Information and Education

Session Overview

Judith Holm (Manager, Liaison and Communications Program) facilitated the General Planning and Public Information and Education Breakout Sessions along with presentations from Brenda Fleming (Public Participation Specialist in the Office of Spent Fuel Management), and Jim Cruickshank (Emergency Management Team Leader). Ms. Holm led the discussions on the task plans discussed within General Planning and Public Information and Education. Ms. Fleming reviewed the status of the Programmatic Spent Nuclear Fuel (SNF) Environmental Impact Statement (EIS), the status of Foreign Research Reactor (FRR) SNF environmental documents, and transportation aspects of SNF management; Mr. Cruickshank explained components of the Transportation Emergency Management Program (TEMP) Implementation Strategy and asked for comments on the strategy within 30 days.

Participants agreed to close several active task plans. The task plans are:

- I-B.2: The Transportation Institutional Policy
- I-B.3: Liaison and Communications (L&C) Long-Range Strategy
- I-B.4: Environmental Justice
- I-D.1: TEC/WG Process Plan
- I-B.4: Program Manager's Guide to Transportation Planning
- IV-E.2: Medical Community Awareness Access to REAC/TS Information

Task Plan I-D.2: TEC/WG Work Plan

History

The purpose of the TEC/WG Work Plan is to maintain a record of the issues identified by TEC/WG, their goals and objectives for solving those issues, and actions taken by DOE to meet those goals and objectives. The TEC/WG Work Plan is currently being revised to incorporate comments on format, to update the background texts, and to add materials from the January and July TEC/WG meetings.

Key Points

- Prioritize issues according to risk/benefit framework - how do issues fit into the program mission.
- Several members suggested that there be a TEC/WG breakout session on the topic at next TEC/WG meeting.

Action Item

EM-26 will revise and distribute work plan.

Due Date

Task Plan I-B.5: Risk Perception Analysis

History

The purpose of this task is to analyze public perceptions of risks involved with the transportation of hazardous and radioactive materials in order to better understand these perceptions and the public's need for information, and to improve DOE's decision-making process and information products. At the January 1995 TEC/WG meeting Hank Jenkins-Smith, Director, Institute for Public Policy, University of New Mexico, led the breakout sessions on the National Survey on Public Perceptions of Transportation Risk. In the sessions, Jenkins-Smith provided a review of the study's activities and results to date, and conducted focus groups using an accident scenario.

At the July TEC/WG meeting Jenkins-Smith presented an update in the plenary session. He spoke about the national survey currently underway which addresses public perceptions of transportation risk. This effort includes utilization of focus groups and panel surveys which will culminate in a nationwide survey. Other approaches may be reviewed as well. *(For a more detailed summary of this presentation, see page 13).*

Key Points

- Completed second wave survey on urgent relief shipments.
- National survey underway.

Action Items

National Survey results will be made available to TEC/WG.

Due Date

Fall 1995

Task Plan VII-A.2: TEC/WG Member Organization Outreach Programs

History

The objective for this task is for DOE and other TEC/WG members to become familiar with alternative and innovative methods for involving interested parties in their respective activities. Incorporating appropriate methods into DOE's outreach effort will contribute to improving trust and confidence in DOE.

Member profiles received by DOE were distributed in the April 1995 mailing and include descriptions of member organizations outreach methods and products. Additional profiles will be distributed as they are received.

Educational materials utilized by member organizations in their outreach efforts were also gathered and a list was distributed to TEC/WG members.

Key Points

- Members were reminded to send in profiles and descriptions of outreach programs.

- Members were asked whether or not they use the short meeting summaries - the response was "yes".
- Members asked that copies of speakers' viewgraphs be made available at meetings.

Educational Materials

- An annotated bibliography of materials was available at this meeting.
- Material is available upon request from Judith Holm.
- A report on the status of the HAZTRANZ game is included as well as information on how to obtain a copy.

Action Item

Due Date

TEC/WG members should provide profiles to Judith Holm. As soon as possible
TEC/WG members are encouraged to review rough draft of
student video "Transportation of Radioactive Material".

September 1

Task Plan VII-A.5: Cooperative Agreements with Third Parties

History

The purpose of this task is to involve external parties more directly in predecisional input into information product production and distribution. Effective involvement will result in: greater external confidence in the validity of the information presented; distribution to wider audiences through new conduits; delivery of a more integrated message regarding transportation and emergency response issues; and potential cost savings through leveraging of program resources with other funding sources. An example of this kind of undertaking is a three-part DOE/DOT video series on hazardous materials emergency preparedness which is nearing completion. Argonne is producing the videotape.

Key Points

- One member expressed concern for the need to update REAC/TS training.

Task Plan VII-A.6: Prospective Shipment Module

History

The purpose of this task is to provide interested parties with information about DOE's flow of unclassified shipments of radioactive and other hazardous materials. DOE's Transportation Information Network (TIN) Prospective Shipments Module is summarized by origin, material, and by quarter. Nine sites are currently providing reports for input into this document.

Discussion

DOE personnel have found this information useful for planning purposes. This document will be available for internal DOE use at program and field levels, and for radioactive response

personnel. DOE sites will work with locals and stakeholders regarding distribution. DOE does not intend to publish this document.

Key Points

- System expected to be automated by 12/95.
- Module has been useful internally and will be used for planning.
- Data should indicate U.S. state's as well as foreign origin and destination.
- Interface is needed with TRANSCOM.
- Paper copies were available at this meeting.

New Item: General Financial Assistance

An outline of an assistance options paper has been prepared for TEC/WG review. The purpose of the document is to initiate discussion on approaches for providing assistance to jurisdictions affected by EM transportation activities. This paper was prompted by the need for a systematic way for the DOE programs to provide money to states and tribes for shipping campaign activities. This paper also states who gets money from whom.

Key Points

- Data in the report has been entered into a database and copies of the paper are available.

Action Items

Provide comments on outline to Judith Holm.

Due Date
Within 60 days

New Item: Guidance on Bounding Public Involvement

The purpose of this task is to determine the role and responsibility of DOE-HQ and DOE-Field Offices in coordinating public involvement efforts between origin and destination sites and identifying who notifies corridor stakeholder contacts. Also, this task will address the issue of geographic boundaries for public involvement efforts. These questions arise especially when you look at the number of DOE shipments per year in which DOE will soon be involved. The sites are looking to EM-Headquarters for some guidance.

Discussion

It was suggested that when you are dealing with transportation issues between two sites a team should be built between the DOE- field office and DOE-Headquarters.

Key Points

- All agreed there is a real need for coordination and that nitric acid shipments are an example of the problem.
- Opportunity needed for DOE senior management to hear TEC/WG discussion - package issues appropriately for Grumbly, etc.
- Member expressed the need for a "Radiation 101" fact sheet.

Action Items

Provide feedback to Judith Holm
TEC/WG members should contact Judith Holm if
interested in working on this issue

Due Date
September 1

New Issue: Report on Lessons Learned from Selected Shipping Campaigns

Comments received on the Program Manager's Guide at the July 1994 meeting included the inclusion of a section on lessons learned or case studies in the document. This preliminary outline grew out of this suggestion.

Key Points

- Judith Holm provided a preliminary outline.

Action Items

TEC/WG members to provide comments to Judith Holm.

Due Date
Within 60 days

New Issue: Comments on Transportation Emergency Management Program (TEMP)

Key Points

- Members questioned integration with FEMA's emergency response plan.
- Railroad emergency response issues need to be resolved.
- Concern that rural, Indian tribes' and railroad views be incorporated into planning.
- Consistency may be difficult to achieve given differences between States and between East and West.

Action Item

TEC/WG members to provide comments to Jim Cruickshank.

Due Date
Within 60 days

Spent Nuclear Fuel Update

Discussion

A TEC/WG member suggested that the thirty-day comment period is not enough time to digest information and react after a preferred alternative is stated in the Environmental Impact Statement.

Key Points

- Integrated spent nuclear fuel management is a new (1992) initiative designed to safely manage all of DOE's spent nuclear fuel and prepare it for final disposal.
- The Programmatic Spent Nuclear Fuel Environmental Impact Statement was published April 28, 1995.
- On June 1, 1995 a Record of Decision was reached resulting in regionalization by fuel type.

Breakout Session C. Section 180(c) and Routing

Session Overview

These breakout sessions were designed to give participants time for discussion on specific issues related to Section 180(c) and routing. Participants spent the majority of time in each of the three sessions discussing issues pertaining to routing.

Routing

Task Plan II-B.1: *Department of Energy (DOE) Highway Route Controlled Quantities of Radioactive Materials Routing "Guidance"*

History

This task was proposed in December 1992 to coordinate the development of DOE "guidance" on the routing of highway-route-controlled quantities (HRCQ) of radioactive materials (RAM) routing. Departmental policy has been to comply with DOT regulations (including use of state-designated alternate routes). The RW program received significant stakeholder interest requesting RW designation of routes, or at least establishment of criteria for selection, to be used for future civilian spent fuel shipments. The TEC/WG membership requested that this be viewed as a DOE-wide issue. A strategy for development of the guidance was presented and discussed at the July 1994 TEC/WG meeting. Discussion papers on the topic were distributed for comment at the January 1995 TEC/WG meeting.

Discussion

Michael Conroy (Program Manager, Office of Transportation, Emergency Management and Analytical Services) began by reminding participants that the purpose of this task is to develop guidance for DOE program managers to use for shipments of highway-route-controlled quantities (HRCQ) of radioactive materials, noting that discussion papers were presented at the January 1995 TEC/WG. He reviewed the comments received on the papers from the Western Interstate Energy Board (WIEB), the Association of American Railroads (AAR) and Union Pacific Railroad. He also discussed concerns raised during internal DOE discussions on the topic.

Mr. Conroy noted it is not clear that additional DOE-wide route selection criteria would add value to the process and that further discussion and input from the TEC/WG is required.

Participants in the breakout sessions expressed differing points of view as to the need for a department-wide routing guidance. Some participants felt that there is a need for such a guidance while others thought that the guidance is not necessary.

During the discussion in support of a routing guidance, one participant agreed that perhaps the focus of the guidance had become too broad, suggesting development of a guidance for major campaigns. Another TEC/WG member agreed with this point, noting that DOE is in the best

position to identify campaigns on the horizon and begin to address routing in terms of these campaigns.

HM-164 criteria were the topic of several discussions during the breakout sessions. One participant believed that existing HM-164 criteria does not address enough. Another member thought that DOE should develop criteria to compliment DOT guidance as there are things that DOT guidelines do not address (e.g., modal selection, adjusting routes in grey area where there may be a multiplicity of routes, etc). He also noted the HM-164 criteria has some failings as it does not look at a national routing system encompassing multiple shipping campaigns.

Several breakout session participants pointed out problems with these suggestions. First, creating guidance that goes beyond HM-164 criteria could undermine these regulations. Second, there is a need for flexibility. An example was given of the nitric acid shipments; if these shipments were HRCQ shipments and a policy of shortest route had been instituted, DOE would have had to take the route which was newly identified when the model was run for the last time prior to shipping, taking away desired flexibility. Third, problems with designating routes now were raised. A TEC/WG member argued that it is difficult for the rail industry to look at specific routes for shipments in the future (even if the 1998 date is met) because there are so many changes occurring within the industry. Another member suggested the need for criteria to consider changes in conditions prior to shipping so these do not have to be resolved at the time of shipments.

Several additional issues were raised during the breakout sessions. One group spent time discussing who had the authority to decide on criteria to be used in making routing decisions. One representative thought that TEC/WG was a useful forum to help DOE formulate positions for routing, but DOT has the rulemaking authority in this area and everyone is able to comment on proposed rules issued by DOT. He believed that ultimately the issue should be addressed by formal rulemaking procedures as it would allow for wider participation by affected parties. One participant noted that you cannot have each federal agency developing its own regulatory scheme. Another participant contended that stakeholders have been beating DOE up for doing things their own way and not complying with other federal requirements and now the suggestion is being made to tell DOE to go back and do this their own way.

There was a discussion during one of the breakout sessions regarding the adequacy of the DOE routing models. One participant suggested that DOE should consider using routing codes that incorporate multiple criteria, such as emergency response capabilities, time, distance, population, etc. Another TEC/WG member felt that such models and criteria were not important, but that regular communications with affected stakeholders would be most beneficial.

Issues concerning the Multi-Purpose Canister Environmental Impact Statement (MPC EIS) were raised during the breakout sessions as well. One participant thought that the EIS should include an examination of the whole transportation concept, not just be narrowed down to

MPC hardware selection. Linda Desell, (Director, E&O Activities Division, Office of Civilian Radioactive Waste Management) responded that the MPC EIS is an attempt by DOE to look at different systems of storage canisterizations. The transportation impacts from one specific place to another specific place is a valid issue when specific places have been designated. Many of these issues may be addressed in the repository EIS which should be underway later in the year.

Key Points

- Consider developing guidance for major campaigns only.
- Concern that route selection will be a bottleneck in OCRWM schedule.
- Concerns with MPC EIS treatment of routes.
- Concern on lead-times needed to implement training along routes.
- Need to account for changing route conditions.
- Major issue on routing is NWPA shipments.
- Communications with stakeholders more important than model criteria.

Action Items

No action items were developed during the breakout sessions. However, following a discussion of the key points at the closeout session, there was a consensus on two issues which should be considered:

- 1) How do routes described in NEPA document relate to actual routes, and
- 2) How will DOE work with states and carriers in selecting routes.

Section 180(c)

Corinne Macaluso of DOE/RW-45 gave a presentation on the current development of the Section 180(c) program. A Notice of Inquiry; Supplemental Information was issued in the Federal Register on Tuesday, July 18th (Vol. 60, No. 137, pgs. 36793-36804) which provides additional detail on various options for implementing the program of technical and financial assistance. The public comment period is open until September 30, 1995. Ms. Macaluso provided a summary of the comments received from the January 3rd Notice of Inquiry. She then described the projected schedule for development and implementation of the program.

Task Plan I-A.1 Coordinating Section 180(c) Implementation

History

Task Plan I-A. 1 is a general task plan to track the development and implementation of Section 180(c) of the Nuclear Waste Policy Act and allow input from TEC/WG participants. After the January 1995 TEC/WG meeting in Charlotte four specific task plans were combined. They were; Task Plan I-A.1 Coordinating Section 180(c) Implementation Plan, Task Plan II-A.1 Facilitate Use of the Commercial Vehicle Safety Alliance Inspection Program by Indian Tribes, Task Plan II-G.2 Refine the Definition for Technical Assistance, and Task Plan VI.G.1 Develop a definition of "safe routine transportation".

OCRWM issued a Notice of Inquiry in the Federal Register on January 3, 1995. This Notice requested stakeholder input on a variety of issues. On March 14, 1995, the comment period was extended from April 3, 1995 to May 18, 1995 in response to requests from several stakeholder groups. Thirty-eight comments were received on Section 180(c) policy development options from the first Notice of Inquiry. A Notice of Inquiry and Supplemental Information was issued on July 16, 1995 with a more detailed discussion of options for Section 180(c) policy and implementation. Two groups of options were identified in the Notice: policy options, which define the scope of a Section 180(c) program, and procedural options, which identify ways to administer the program.

Discussion

After Ms. Macaluso's presentation, there was some discussion of the diversity of the comments and the role they will play in the development of the final Section 180(c) policy. Ms. Macaluso explained that comments submitted for the first NOI as well as those submitted for the July NOI will be used in developing the policy. Some TEC/WG members felt that some groups of stakeholders were forming expectations that would be beyond the capabilities of the Section 180(c) program. Another member asked about the TEC/WG's role in the public comment/response process through the Federal Register. Ms. Macaluso assured the questioner that the TEC/WG input and suggestions would continue to be valuable information for the program development. The Federal Register process is intended to broaden public input rather than restrict it.

In discussing the development schedule, one member questioned the need for a 15 month period between issuing a proposed policy and a final policy, particularly in light of potential earlier shipment dates. Ms. Macaluso explained that DOE/RW anticipates the need to negotiate agreements with either other federal agencies, cooperative agreements, or individual states, depending on the funding mechanism selected.

Some concern was raised over the availability of current training programs. Although many government and private sector resources currently exist, budget cutting may affect more than one area. Ms. Macaluso replied that the Section 180(c) program should provide the flexibility necessary to employ whatever the current training market can provide, and it may promote growth. She indicated that DOE/RW would consider these possibilities in its program development.

Routing was identified as closely impacting the implementation of a Section 180(c) program. It may be used as one of the measures of funding allocation. Also, states may use routing to effectively allocate Section 180(c) funds for training. Routing and its role in the Section 180(c) program will be included in the Proposed Policy and Procedures for Section 180(c).

Key Points

The Notice of Inquiry, Supplemental Information is available for public comment. Stakeholders are encouraged to distribute the NOI and submit comments.

Action Item

Due Date

DOE/RW will address local governments' ability to access
Price-Anderson funds within the Section 180(c) Proposed 3/96 with issuance of
Policy and Procedures description of technical assistance. Notice of Proposed
Policy and Procedures.

