



Department of Energy

Washington, DC 20585

August 14, 1996

Dear TEC/WG Meeting Participant:

Enclosed is the Executive Summary from our recent meeting in Pittsburgh, PA. We have attempted to capture the main issues and highlights of the meeting in this new Executive Summary format as well as provide you with a list of specific actions items for both DOE and the TEC/WG membership. If you have suggestions or corrections, please contact either of us or Kate Latham at Urban Energy and Transportation Corporation.

Thank you again for a very successful July meeting. As you are aware, discussions at the meeting indicated that participants would like an opportunity to be more active on specific topics. We will be exploring options for the formation of Topic Groups and would appreciate your suggestions on both content and individual participation.

Also in the coming weeks, we will begin an effort to streamline and improve the information flow covering the work we do together at TEC/WG meeting. An updated Work Plan and the related Task Plans will be distributed as a mini- Resource Notebook. Along the same lines, we will forego the usual full report Meeting Summary in favor of the enclosed summary and list of Action Items unless participants indicate the need for more detail. Please call or e-mail with suggestions.

Sincerely,

A handwritten signature in cursive script, appearing to read "Judith Holm".

Judith Holm
Co-Chairperson
Transportation External Coordination
Working Group

A handwritten signature in cursive script, appearing to read "Markus Popa".

Markus Popa
Co-Chairperson
Transportation External Coordination
Working Group



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The Transportation External Coordination Working Group (TEC/WG) held its ninth semi-annual meeting July 16-18, 1996 in Pittsburgh, Pennsylvania. Over one hundred participants, representing state, tribal and local governments, regional groups, industry, professional organizations, and the U.S. Department of Energy, met to address a variety of issues related to DOE's transportation activities for radioactive materials. Following are some highlights of several issues:

Implementation of Section 180(c) of the NWPA:

The *Notice of Proposed Policy and Procedures* (NOPPP) recently issued by RW raised many questions of clarification among meeting participants. The NOPPP seemed to limit funding for drills and exercises, which participants commented was an important part of emergency response preparedness. The NOPPP also did not use definitions related to Section 180(c) that TEC had been working on, such as the meaning of "safe routine transportation" or "technical assistance". Also, the NOPPP does not specifically address a pass-through mechanism at the state level to funnel funds to local government. This raised comments on the administrative costs for a OCRWM-only grant program, as well as concern over necessary identification of routes. The Group suggested clarifying funding policy for drills and exercises, and reevaluating use of definitions of key 180(c) terms as developed by TEC/WG. TEC/WG may employ a "topic group" approach to better identify possible program structures and specifics in such areas as equipment funding, mandatory funding pass-through, administrative costs, use of population as a funding criteria, and the need for route identification.

Emergency Management, Training and Technical Assistance:

Participants noted that DOE's training focus appears to concentrate on new methods of delivery and using incremental training to supplement more basic training being provided elsewhere; they noted that some "basic" training may not be provided now, and DOE and other federal agencies should work together to make sure such programs do not disappear. One group suggested that DOE could become "the clearinghouse" for technical information and training for radiological incident preparedness. DOE will work with FEMA and other agencies providing training support to ensure coordination so that baseline training continues to be offered as needed.

OCRWM Market-Driven Strategy:

A central concern of most participants in the discussions about OCRWM's preliminary plans focused on the impacts on relationships between DOE and states, tribes and local governments. Commenters were very concerned that any contract for waste acceptance and transportation not interpose a private party (or multiple parties) between levels of government whose work is driven by private contract and not by jurisdictional or legislative authority. The group suggested that modifications to the draft Statement of Work and related material should spell out DOE and state roles, as well as those to be performed by the Regional Servicing Agent. In particular, references to emergency response command and control, training, and interactions between governments should emphasize that DOE will continue to work directly with affected jurisdictions as required by the NWPA.

Transportation Operations:

Route *identification* vs. route *selection*— TEC/WG participants understand that carriers select routes, but note that route-sensitive decisions about related issues such as emergency response, training and technical assistance must be made well in advance of shipments. The group suggested that DOE improve its process for identifying potential routes beforehand and communicating with jurisdictions. This will allow jurisdictions to better prepare for potential impacts. Dissemination of the Prospective Shipments Module and use of commodity flow studies will help improve forecasting and communications.

Rail transportation operations are increasing in prominence as an issue at TEC/WG. The authority of states/tribes to inspect rail shipments, potential application of enhanced inspection standards to rail shipments, impacts of heavy haul to railheads, and special operating restrictions on radioactive cargo were some aspects discussed.

Streamlining DOE NEPA Transportation Analysis:

DOE is considering an approach to reexamine how it analyzes risk in environmental impact statements (EISs) and environmental assessments (EAs) that pertain to transportation. Risk assessment tools often treat the transportation component the same; which results in significant analytical overlap and potential unnecessary costs. DOE is considering whether the use of some form of risk index (incorporating factors such as commodity type and packaging) could be acceptable from a risk assessment standpoint while avoiding duplicative analytical costs. Savings could potentially be significant; transportation analysis typically comprises between 7 and 9 percent of the total cost of performing an EIS. Some TEC/WG participants, however, are concerned that a standardized approach could undermine the quality of the analysis, provide less opportunity for public input and be more complex than the existing NEPA process. Participants suggested that DOE should define in more detail what benefits and tradeoffs might occur from standardizing the transportation risk assessment approach. DOE may consider holding a risk assessment workshop-style event at the next TEC/WG meeting for those who wish to learn more about NEPA and how NEPA-mandated assessments are performed.

DOE/External Participation in TEC/WG Activities:

Preliminary results from an in-depth evaluation of the TEC/WG and its processes were presented to the breakout groups. Most meeting participants were quite positive about the effectiveness of the TEC/WG process; however, they expressed a desire to see more substantive work products coming from the meetings. Some suggested that smaller topic groups could focus on specific issues in greater detail between the larger meetings of the entire membership. DOE will form some topic groups as a test of this process from volunteers within the TEC/WG membership. The groups will have very specific scope of work, be of a limited lifetime, and report their findings to the full membership. They will work via Internet and conference calls between semi-annual TEC/WG meetings, and then meet for a half day in conjunction with the regular schedule.

The next TEC/WG meeting is tentatively scheduled for January 14-16, 1997 in Charleston, South Carolina. Additional information will be sent out in the early fall.

Action Items:	Due Date/ To Whom:
Submit/Update your Member Profile	Sept. 30 to Kate Latham
Communicate TEC/WG progress to organization	Call Kate Latham for help with newsletter article submission
Review draft fact sheets <i>DOE's Water Transport of Radioactive Materials</i> <i>Transporting DOE's Low Level Radioactive Waste</i>	September 15 to Kate Latham
Review Revised Work Plan	September 15 to Kate Latham
Comments on 180(c) NOPPP	September 30 to Corinne Macaluso as specified in Federal Register NOPPP deadline extension (issued August 12)
DOE will look into government regulations about equipment ownership. Explore details of what percentages of a grant can be used to purchase equipment without resulting in federal ownership of equipment.	December 1996, E. Helvey/ C. Macaluso
DOE will explore options for TEC/WG Topic Groups. This includes working with meeting participants to identify the specific topic areas for discussion and to identify interested parties to work on given topics.	October 1996, K. Latham/ J. Holm/ M. Popa
Suggest specific topics and interested parties for TEC/WG Topic Groups.	September 1996 to Kate Latham
Regional groups will canvas their states to collect information on current practices regarding rail inspections by state officials.	November 1, 1996 to Markus Popa

FINDINGS FROM TEC/WG MEETING, PITTSBURGH, PA, JULY 16-18, 1996

OCRWM Market-Driven Strategy

- Discussion focused on impact on relationships between DOE and states, tribes and local governments
- Commenters were very concerned that any contract for waste acceptance and transportation not interpose a private party (or multiple parties) between levels of government, where such party's work would be driven by private contract and not by jurisdictional or legislative authority.
- Group suggested that modifications to draft SOW and related material should spell out DOE and state roles, as well as those to be performed by the RSA.
- Group suggested that references to emergency response command and control, training, and interactions between governments (especially tribes) should emphasize that DOE will continue to work directly with affected jurisdictions as required by the NWPA.
- *Interested Organizations: WIEB, SSEB, CSG-MW*

Implementation of Section 180(c) of the NWPA

- Notice of Proposed Policy and Procedures (NOPPP) recently issued by RW raised many questions of clarification among meeting participants.
- NOPPP seemed to limit funding for drills and exercises, which participants commented was an important part of emergency response preparedness.
- NOPPP also did not use important definitions related to Section 180(c) that the group had been working to resolve, such as what "safe routine transportation" and "technical assistance" mean.
- Group suggested clarifying issue of funding for drills and exercises, and reevaluating definitions of key 180(c) terms as developed by TEC/WG.
- TECWG may employ a "topic group" approach to better identify possible program structures and effects in such areas as: equipment, drills and exercises, pass-through, route identification, and use of population data.
- *Interested Organizations: WIEB, CSG-MW, Nat'l Assn. of Counties, utility commissions*

Transportation Operations

- Route *identification* vs. route *selection*--TECWG members understand that carriers select routes, but note that route-sensitive decisions about related issues such as emergency response, training and technical assistance must be made well in advance of shipments.
- Group suggested that DOE improve its process for identifying potential routes beforehand and better informing jurisdictions en route of potential impacts.
- Dissemination of Prospective Shipments Module, use of commodity flow studies underway will help improve forecasting and communications.

- Rail issues increasing in prominence, including authority of states/tribes to inspect rail shipments, potential application of enhanced standards to rail shipments, impacts of heavy haul to railheads,
- *Interested Organizations (rail issues): CSG (Midwest Office and Northeast Office), Assn. of American Railroads (for rail issues), FRA, AFL/CIO.*
- *Interested Organizations (routing issues): TRB, WIEB, Sierra Club, ICMA*

Emergency Management, Training and Technical Assistance

- Participants noted that DOE's training focus appears to concentrate on new methods of delivery and using incremental training to supplement more basic training being provided elsewhere; DOE and other agencies should make sure basic core training is still available.
- One group recommended that DOE should become "the clearinghouse" for technical information and training for radiological incident preparedness.
- Group recommended working with FEMA and other agencies providing training support to ensure that baseline training continues to be offered as needed.
- *Interested Organizations: Int'l. Assn. of Firefighters, Int'l. Assn. of Chiefs of Police, Council of State Governments, AFL/CIO, Nat'l Congress of American Indians*

Streamlining DOE NEPA Transportation Analysis

- DOE is considering whether the use of some form of risk index (incorporating factors such as commodity type and packaging) could be acceptable from a risk assessment standpoint while avoiding duplicative analytical costs.
- Savings could potentially be significant; 7-9 percent of total EIS costs.
- Participants are concerned that a standardized approach could undermine the quality of the analysis, opportunity for public input and be more complex than the existing process.
- Participants suggested that DOE should define all benefits and tradeoffs that might occur from standardizing the transportation risk assessment approach.
- Potential for holding a risk assessment workshop-style event at the next meeting for TECWG participants (including DOE officials) who wish to learn more about NEPA and how NEPA-mandated assessments are performed.
- *Interested Organizations: Sierra Club, WIEB, WGA*

DOE/External Participation in TEC/WG Activities

- Survey/analysis of TEC/WG participants is ongoing; DOE/TECWG role is being reexamined.
- One suggestion: smaller subcommittees or topic groups could focus on specific issues in greater detail between larger meetings of the entire membership..
- Need to improve tracking of TECWG issues and their resolution.
- Recent participation at TEC/WG meetings by DOE senior management was much appreciated.

TEC/WG Meeting Action Items from July 1996 in Pittsburgh, PA

- Submit/Update your Member Profile

None were submitted by Sept. 30th. Several have been updated since the last meeting from phone calls to members and internal research. Several are still in need of information. Please check the Meeting Packet to review your group's listing.

- Communicate TEC/WG progress to organization

Although this has been identified as an area for improvement, no special communication with member organizations was submitted.

- Review draft fact sheets
DOE's Water Transport of Radioactive Materials
Transporting DOE's Low Level Radioactive Waste

One comment was received. The fact sheets are now in final internal review.

- Review Revised Work Plan

No comments were received. A current version of this document is included in your meeting packet.

- Comments on 180(c) NOPPP

41 comments were received on the draft NOPPP.

- DOE will look into government regulations about equipment ownership. Explore details of what percentages of a grant can be used to purchase equipment without resulting in federal ownership of equipment.

The results of this research were reported to the Mechanics of Providing Funding and Equipment for Emergency Preparedness Topic Group. The Topic Group will report to the TEC/WG later in this meeting.

- DOE will explore options for TEC/WG Topic Groups. This includes working with meeting participants to identify the specific topic areas for discussion and to identify interested parties to work on given topics.

After the discussion in Pittsburgh of a variety of possibilities for the Topic Groups, DOE decided to use a combination of ongoing conference calls between TEC/WG meetings and individual topic group meetings for a half-day in conjunction with TEC/WG meetings.

- Suggest specific topics and interested parties for TEC/WG Topic Groups.

Only one request for participation was received prior to the original set up of Topic Group participants. We used the index cards collected at the Pittsburgh meeting as a basis for the small working groups. The topics identified are: Rail Issues, Route Identification Process, Training, Mechanics of Providing Funding and Equipment for Emergency Preparedness.

- Stakeholders will canvas their states to collect information on current practices regarding rail inspections by state officials.

Some funding issues affected response to this action item, however, any information TEC members can provide would still be welcome.