

**U. S. Department of Energy (DOE)  
Transportation External Coordination Working Group (TEC)  
Security Topic Group  
Conference Call  
January 24, 2006**

**Summary of Discussion:**

The TEC Security Topic Group (STG) held its fourth monthly conference call on Tuesday, January 24, 2006, starting at 11:00 a.m. Eastern Standard Time. Participants included **Alex Thrower**, Office of National Transportation (ONT), Office of Civilian Radioactive Waste Management (OCRWM), DOE; **Larry Stern**, Commercial Vehicle Safety Alliance; **Aubrey Godwin**, Arizona Radiation Regulatory Agency (ARRA); **Harvey Weatherford**, Nevada State Patrol; **Frank Moussa**, Kansas Emergency Management Division; **Bill Reese**, Idaho State Police, **Steve Schnobelen**, **Bruce Kynaston**, **Michael Chaffee**, and **James McNeill**, California Highway Patrol; **Allen Turner**, Colorado State Patrol; **Bob Fronczak**, Association of American Railroads; **Lisa Janairo** and **Sarah Wochos**, Council of State Governments (CSG)-Midwest; **Tamara Baker**, SC State Law Enforcement Division (SLED); **Harry Hopes**, CSX; **Tim Runyon**, Illinois Emergency Management Agency; **Bruce Bugg**, Georgia Department of Public Safety; **Scott Field**, Western Interstate Energy Board; **Conrad Smith**, CSG – Eastern Regional Office; **Bob Halstead**, Nevada Agency for Nuclear Projects; **Christina Nelson**, National Conference of State Legislatures; **Helena Zyblikewycz**, AFL-CIO; **Bill Shepherd** and **Roger Wu**, DOE Office of Security

DOE support contractors also participated on the call.

Mr. Thrower asked for final comments on the minutes from the group's third conference call held on December 20, 2005. Mr. Field said the Security Topic Group (STG) should not wait until after it has addressed all those issues that can be discussed in an open forum to begin the process of obtaining security clearances for STG members. Because the clearance process can take more than a year, such a strategy would effectively put the STG on hiatus on critical tasks. A participant asked Mr. Thrower when he expects to provide members of the STG with the materials to apply for clearances. He replied that there is no set date for providing the materials and that there may be enough members of the STG that already have DOE clearances (or functional equivalents) to make the issue moot. Further, given the "open forum" nature of the TEC process it may not be possible to have closed, sensitive discussions within the TEC framework. Mr. Halstead said that DOE needs to determine a policy for issuing clearances. He said that the STG should not be handling a lot of classified materials and that the issue will be more important when route planning begins.

Tim Runyon said that, with the clearance issue unresolved, there may be problems discussing certain terms, specifically safeguards. Mr. Thrower stated he was relying on STG participants from DOE security offices and the NRC for guidance on what is and is not appropriate for discussion. Ms. Dawson noted the potential for an information

sharing protocol had been discussed at the last TEC meeting. She suggested an unclassified information sharing protocol would provide specificity as to what the STG can and can not discuss. These kinds of issues were also part of the rationale for developing the DOE Transportation Classification Guide currently being developed, said Ms. Dawson. Mr. Shepherd stated DOT was reviewing the draft and he expected the document would be concurred upon soon. Mr. Thrower will report on the information sharing protocol at the next call.

Lisa Janairo of CSG-MW updated the STG on the survey of States for information related to security points-of-contact, relevant statutes, security procedures, and capabilities. The SRG staff will present a draft questionnaire for comment to the STG at the February conference call. The SRG plans to send the questionnaire to the States in April, complete the data call by May, and prepare a final report by August. Information received from the questionnaires will be provided to DOE for use in its planning. Larry Stern suggested sending the survey to the law enforcement community, and Christina Nelson said that she would ask Linda Sikkema, Program Director of NCSL's State-Tribal project, how to get the survey to tribal members.

Mr. Thrower announced he had emailed the preliminary draft of the Security Practice update to the members of the STG and that they should send him comments on the draft. Mr. Godwin noted that on page 2 of the draft, Section 6.2.1.a.(3) does not mention Federal escorts. Mr. Smith recommended using active rather than passive voice to clearly indicate who is responsible for performing the various functions described in the draft. Another participant indicated that the guide incorrectly uses "campaign" and "shipment" interchangeably. Mr. Runyon and others raised the issue of "equivalent" vs. "consistent" DOE requirements with NRC requirements (see page 2, Section 6.2.1.a.(1)). He noted that "consistent" practices simply do not conflict with one another, whereas committing to "equivalent" practices means using practices that are essentially the same. Participants stated that the original Security Practice used the term "equivalent" and that they thought it had been approved by the DOE Office of General Counsel (OGC). They argued, therefore, that there should be no issue reverting back to the former wording. Mr. Thrower responded that he would like to have written feedback on this issue. Lisa Janairo questioned the need for written feedback, since the minutes of the call would effectively serve that purpose. Mr. Thrower stated that he still would prefer formal written comments because it would make it easier for him to justify the use of the term "equivalent." Mr. Halstead said that this terminology may not be open to DOE discretion.

Mr. Thrower emphasized the draft was a preliminary strawman and had not been concurred upon by any DOE offices. He requested that any comments/markups on the draft be sent in writing; when a workable draft is available, the STG will provide it to the writing group (led by Ella McNeil in EM) responsible for updating the entire Practices Manual.

The call adjourned at approximately 12:00 PM.

**Action Items:**

1. Edit conference call notes and roster to incorporate group input and finalize (Thrower)
2. Submit comments on the draft update to security practice in DOEM 460.2-1 (All)

**Submitted by:** David Mead, January 25, 2006