

DOE Transportation Protocols Topic Group Jacksonville, Florida January 20, 1999

Meeting Notes and Action Items:

The first meeting of the Transportation External Coordination Working Group (TEC/WG) Department of Energy (DOE) Transportation Protocols Topic Group was held at the Radisson Riverwalk Hotel in Jacksonville, FL on January 20, 1999. Mona Williams, Director of DOE's National Transportation Program, Albuquerque Office, welcomed the participants and asked them to introduce themselves (a list of participants with affiliations and addresses is attached). Following the roundtable introductions, Ms. Williams briefly stated the meeting's purpose, which was to discuss the process of protocols development and how review and input from TEC/WG participants could enhance and improve that development.

Ms. Williams stated that the initiative to establish transportation protocols within DOE originated when observers both within and outside the Department noted that transportation plans and operations differed among DOE programs, and these differences often led to inconsistency in program implementation. At the direction of DOE's Senior Executive Transportation Forum (SETF), DOE staff are examining how current practices might be made more consistent. Additionally, she said, where programmatic, regulatory or other requirements dictate different approaches, the Department should be able to articulate the reasons why. In the end, said Ms. Williams, DOE senior management hopes to be able to streamline its efforts where possible, and the TEC/WG Transportation Protocols Topic Group was established to help DOE gain input on how to make this happen. The protocols development process has taken longer than originally planned, she said, primarily because the problem turned out to be much more complex than expected. However, she said, DOE has committed to addressing this issue and has been employing substantial staff time and resources toward that end.

Elmer Naples, Senior Technical Manager for Regulatory Affairs at DOE's Office of Naval Reactors, briefly summarized the contents of the presentation he planned to give during the transportation operations breakout the following day. He noted that while DOE shipments are a small number of the total of radioactive materials (RAM) shipments nationwide, they constitute approximately 75 percent of the total curie content of those shipments. Further, it was noted that the numbers of DOE shipments are expected to increase over the next ten to twenty years. He stated that differences among the protocols and practices of DOE programs shipping RAM usually exist because of the broad range of materials that are shipped. Some practices have derived from the operational experience of programs that, for various reasons, have found them to be successful. Other types of materials require special handling and safeguards for security reasons. The overall goals of any DOE transportation program are to accomplish the mission while ensuring safety and protecting the public health and the environment, he said.

Mr. Naples reiterated Ms. Williams' statement that the SETF has recognized the need to evaluate current practices with an eye toward standardizing them where possible. The protocol evaluation process will have four phases, he said. During Phase 1, staff are compiling information on current protocols and practices. Work in Phase 2 will consist of analyzing the compiled information to determine where standardization may be appropriate. During Phase 3, DOE will identify and explain the evaluation results and prepare a draft protocols and practices document. Finally, during Phase 4 the document will be "finalized," although he noted that the protocols themselves will be living documents and subject to change as future circumstances may dictate.

The first phase is largely completed, said Mr. Naples, although the process took longer than DOE had originally planned. Currently, seventeen protocol areas are being evaluated: prenotification, emergency plans, routing, inspections, public information, carrier/driver requirements, training, security, equipment, tracking, weather/road conditions, safe parking/safe haven, accident notification, emergency response, crisis communication, remediation, and post-shipment protocols. He indicated that the draft matrices containing the information about current practices were available for the groups' review; he asked, however, that reviewers limit their comments to the planned process as outlined and issues that should be considered throughout the process, rather than on the actual detailed data in the matrices. That information is preliminary and is currently being revised, he said.

Finally, said Mr. Naples, DOE intends to periodically update the protocols and practices to make sure they are current, complete, and in compliance with applicable laws and regulations. There are existing memoranda of agreement between DOE and other governmental entities that regulate how certain materials will be transported; any modifications to these agreements that may result from the protocols will be discussed with the parties to those agreements before implementation, he said. He said that throughout this process, DOE wants to ensure that all the issues that stakeholders raise will be addressed. In the end, not everyone may be completely satisfied with the result, he said, but the Department is making an honest effort to address all concerns.

Ms. Williams reiterated that the initiative had not proceeded as far as DOE had anticipated; she noted that Jose Maisonet from DOE-Defense Programs and Carl Guidice from DOE-Environmental Management have hosted between fifteen and twenty conference calls on the subject, with dozens of DOE officials being involved. Each program participating on the SETF has an area of responsibility, she said, and assignments are being delegated down through those organizations.

Ms. Williams then stated that there were three main issues she hoped to get resolved during this session. First was the question of whether the group itself had all the right people involved, or if the topic group membership should be expanded to include additional stakeholder perspectives. Second, DOE needed to know whether the issue areas of the seventeen protocols (see above) encompassed all the concerns stakeholders might have about transportation, or if there were important areas that had been overlooked. Finally, she said, participants should look at the format of the protocols information and eventually the protocols themselves, and decide whether the format is useful and informative to the reviewer or whether it should be changed to clarify its content.

She added that the overall protocols initiative is one that is truly cross-cutting in scope; staff from all programs represented on the SETF are being involved. One method that the staff would prefer to employ in developing the material, she said, would be to work one-on-one with subject matter experts within the topic group, at least in the initial stages. Then, the larger group (and the entire TEC/WG as well) would then be involved in final review and comment. In this manner, she said, the protocols could be developed in a timely and efficient manner without causing last-minute surprises.

A participant asked whether a date-specific schedule had been set. Ms. Williams responded that a firm timetable had not yet been developed; however, she expected that at least several protocols ought to be developed to the Phase 3 level in time for the next TEC/WG meeting in July 1999.

Chris Wentz, Coordinator of New Mexico's Radioactive Waste Task Force, said that he thought DOE had done a good job of outlining how it plans to go about the protocols development process, but that it would be helpful to try to pin down some firm dates to go with its milestones. Additionally, he noted that there did not appear to be an analysis of what it might cost to implement the various protocols. It might be time-consuming to develop such information, he said, but if some protocols turned out to be relatively cost-free, programs might be more willing to implement them. Perhaps developing several different categories of cost (low, medium, high) would be helpful, he said. Mr. Naples and Ms. Williams responded that looking at costs was an excellent suggestion, because cost does play an important role in programmatic decisions, and that this issue (along with discussions of mode and route) were planned to be considered during the process.

Jim Williams, President of the Planning Information Corporation, said that the matrices seemed to be broken down by operational aspect and not by type of shipment. Modal choice (truck or rail) should also be considered, he said. Ron Ross, Program Manager with the Western Governors' Association, added that a brief examination of modal issues would be helpful; barge shipments also ought to be included. Ms. Williams responded that when Mr. Maisonet originally began compiling the initial information he did so by mode, which effectively ended up tripling the amount of work. However, she said, some treatment of the modal choice issue could probably be worked in without too much difficulty.

Robert Holden, Director of the Nuclear Waste Program for the National Conference of American Indians, asked whether the protocols developed would be based on existing regulations; they could also serve as a basis for changing regulations or implementing new ones. Mr. Naples responded that the intent of the protocols was in part to examine existing regulatory requirements; however, if the process reveals gaps in the existing requirements then the issue could be addressed at that time.

Following a short break, Ms. Williams asked the topic group participants to agree to certain "ground rules" in the protocol review process. First, she said, participants in the process should make the effort to be up-front about voicing their interests and concerns about the form and substance of the development process, and contribute their input to the group directly. Lengthy written comments to senior DOE officials, at least in the initial stages of protocols development, could potentially be counterproductive as staff are then required to divert their efforts to brief senior management on the specific issues and assist in formulating formal responses. Second, Ms. Williams asked that the participants approach the process from the perspectives of their organizations and not their personal viewpoint. She added that the DOE participants were expected to do the same as well.

Ms. Williams returned to the subject of whether all the right people were involved in the topic group process. Sandra Threatt, Manager of Nuclear Emergency Planning with the South Carolina Department of Health and Environmental Control, asked that staff from the Southern States Energy Board (Chris Wells) be added to the distribution list. Another participant asked whether officials from the Nuclear Regulatory

Commission (NRC) ought to be involved. Mr. Naples responded that coordination with NRC on the protocols was being handled separately from the TEC/WG process. Ms. Threatt responded that learning about the input received from NRC and other regulators like the Department of Transportation (DOT) would be helpful to the group. Kelly Kelkenberg, Acting Director of DOE's Office of Transportation and Emergency Management, said that input from DOT and NRC would be shared with the topic group as it was received.

Mr. Ross asked whether DOE traffic managers were involved. Ms. Williams responded that input from the managers was also being coordinated separately and would also be shared with the group. Another person suggested that environmental groups like the Natural Resources Defense Council (NRDC) should be involved. Involvement of local government organizations should also be considered. Kevin Blackwell, Hazardous Materials Specialist with the Federal Railroad Administration, asked whether representatives from applicable DOT modal administrations should be added; Mr. Ross responded that that might be a good idea, depending on the direction the group takes. Another suggested that Richard Swedberg from DOT's Office of Motor Carriers would be a good addition to the group. Mr. Blackwell noted that the DOT representatives were active in other topic groups, but would participate as needed when technical issues arose.

Ms. Williams next asked how the participants thought they might best work together, suggesting that monthly conference calls between semiannual TEC/WG meetings might be helpful. She indicated that a site on the TEC/WG home page could also be used to relay comments. Some participant expressed concerns about actually posting the protocols themselves on the Web, but no one objected to a suggestion that the site be used initially just to post comments.

It was agreed that the first conference call would be held in February, and that prior to the call a roster of topic group participants would be circulated. One item on the conference call agenda would be to discuss initial comments based on the draft materials distributed in Jacksonville, said Ms. Williams. Participants having preliminary comments on the draft should submit them to Ms. Williams at least a week in advance of the conference call; that way, she said, she can make sure that all participants can review all submitted comments in advance of the call. By the time of the March topic group call, she added, some draft protocols themselves may be available. Alex Thrower, Program Manager, Urban Energy & Transportation Corporation, suggested that written information should be distributed by email wherever possible; this was met with general agreement by the participants.

Ms. Williams asked if there were any final comments or questions. Mr. Wentz asked whether the protocols were going to be compared by waste type. Ms. Williams responded that program and material type were specified in the first matrix category. Mr. Ross suggested that the matrices might be more informative if the regulatory requirements were spelled out in plain English, rather than just having strings of citations. Mr. Guidice stated that the matrices would be changed to incorporate this comment.

The first meeting of the TEC/WG DOE Transportation Protocols Working Group adjourned at approximately 4:00 p.m.

Action Items:

- Add Chris Wells, SSEB, and Richard Swedberg, OMC-DOT, to topic group roster (Alex Thrower, UETC).
- Provide names and contact numbers of individuals from organizations that should be involved in the topic group to Mona Williams, DOE-NTP, by February 19 (All).
- Review description of process and initial working draft of material compiled in Phase 1 (materials were handed out in Jacksonville). Submit any initial comments (preferably via email) to Mona Williams, NTP-AL, by February 19 for dissemination in advance of the February 25 conference call (All).
- Distribute roster of topic group members, agenda and review comments by February 22 (Alex Thrower, UETC).
- Discuss tentative schedule of development milestones with dates on the February 25 conference call (Carl Guidice, DOE-EM).
- Add explanatory language to regulatory citations. (Carl Guidice, DOE-EM).
- Forward comments on the protocols from NRC, DOT, and traffic managers to topic group participants as they are received (Mona Williams, NTP-AL).