

**TEC Tribal Issues Topic Group Conference Call  
March 9, 2005**

**Participants: Vicki Best (BSC), Kevin Clarke (DOE/RL), Sandi Covi (UPR), Kristen Ellis (DOE/CI), Greg Fasano (BSC), Ed Gonzales (ELG), Jay Jones (DOE/OCRWM), Dan King (Oneida Nation), Bob Lupton (DOE/YMPO), Corinne Macaluso (DOE/OCRWM), Ellen Ott (DOE/GC), Jennifer Patric (BAH), Wilda Portner (SAIC), Lisa Sattler (CSG/MW), Neil Weber (Pueblo of San Ildefonso), Steve White (NAEMT), Andrea Wilkins (NCSL)**

Jay Jones (DOE/OCRWM) chaired the call.

**Action Items:**

Responsible Party

Action to be Taken

C. Macaluso/J. Jones/W. Portner	Send HMEP information to Topic Group.
J. Jones	Check with FRA (Kevin Blackwell) about addressing Group on April 4 regarding rail inspection program.
J. Jones/W. Portner	Send agenda for April 4 meeting to Group.

**Summary:**

This was the last Tribal Issues Topic Group conference call before the full Transportation External Coordination Working Group (TEC) meeting in Phoenix, AZ, on April 4 and 5.

Jay asked Cori Macaluso, DOE Office of Civilian Radioactive Waste Management (DOE/OCRWM), to open the discussion with an update on the 180(c) Topic Group. Cori said the group is using the U.S. Department of Transportation (DOT) Hazardous Materials Emergency Preparedness (HMEP) grant approach with the States and would use it as a starting point for discussions with Tribes. This approach uses population, truck miles, and percentage of DOE facilities within a jurisdiction to determine eligibility for grant funding. Cori agreed to send some basic HMEP information to Jay Jones and Jay would forward it to the group. Ed Gonzales (ELG) recommended a phone survey of the Tribes related to funding and technical assistance.

Next, Jay informed call participants that on March 8, 2005, the letter introducing the OCRWM program to Tribal leaders was mailed to 39 Tribes whose jurisdictions fall within one-half mile of prospective Yucca Mountain rail and highway shipping routes. DOE's Office of Congressional and Intergovernmental Affairs (DOE/CI) will forward the letter to DOE Tribal Points-of-Contact. In addition to introducing the Tribes to the OCRWM program, the letter to Tribal leaders touched on 180(c), routing, security, and other transportation issues. Jay said shipments wouldn't begin for at least 5 years. The next step is to focus on planning visits to the Tribes who received the letters. Bob Lupton (DOE/Yucca Mountain Project Office) asked if DOE was prepared to respond to why certain Tribes were excluded from the distribution list. Jay answered that Tribes were selected to receive the letter based on the routes and

environmental impacts analyzed in the *Yucca Mountain Final Environmental Impact Statement*. Steve White (National Association of Emergency Medical Technicians) asked if the Tribal Topic Group could look at mutual aid situations and agreements between Tribes and local communities. Jay said we would have to look at the Tribal jurisdictions in relation to adjacent towns and communities on a case-by-case basis.

Jay announced the next Tribal Issues Topic Group meeting will be held Monday, April 4, from 8 to 10 a.m. in Phoenix, AZ. Topics on the agenda will likely include the Tribal letter and 180(c) funding. Lisa Sattler (Council of State Governments – Midwestern Office) suggested the April 4 agenda include a discussion of Tribal participation in the Federal Railroad Administration (DOT/FRA) rail inspection program. Kevin Blackwell and Michele Sampson (DOT/FRA) were mentioned as possible contacts. Jay said he would talk to Kevin about addressing the group. Ed Gonzales (ELG) suggested the agenda include the role of the Bureau of Indian Affairs (BIA) and their trust responsibilities on transportation issues. Jay recommended that this discussion be considered for the next TEC Tribal Issues Topic Group meeting. Dan King (Oneida Nation) followed up by saying that he has not found the BIA emergency management representative to be very responsive to phone calls.

Jay asked for other DOE Tribal updates. Kristen Ellis (DOE/CI) said a package on followup to the DOE Tribal Summit is in the office of the Secretary. Jay said the next State and Tribal Government Working Group (STGWG) meeting is going to be held in Lewiston, ID, the week of May 9. Neil Weber (San Ildefonso) said the STGWG Executive Committee will develop the agenda for that meeting in April. Agenda items are likely to include followup to the Summit and the Transportation Subcommittee (with the possibility of Jay Jones being on the agenda).

Other updates included the announcement that Ted Garrish is “Acting” Director of OCRWM. Bob Lupton said that litigation is in progress by the Western Shoshone Nation seeking an injunction on Yucca Mountain based on the Ruby Valley Treaty. Greg Fasano (SAIC) said the final draft of the *Caliente Corridor Rail Alignment Draft Environmental Impact Statement* should be completed in April. Protection of cultural resources along the rail corridor will be an important issue.

Jay closed by saying he would send the agenda for the April 4 Tribal Issues Topic Group meeting to the members soon.