

Midwestern Radioactive Materials Transportation Project Meeting Summary

Proceedings of the Fourteenth Meeting of the Midwestern High-Level Radioactive Waste Committee

Comfort Inn
Des Plaines, Illinois
December 16 and 17, 1996

December 16

Committee chairman Mr. Dave Crose (Indiana) called the meeting to order at 1:15.

Project Update

After introductions, Ms. Lisa Sattler referred to the information in the briefing materials regarding the status of the cooperative agreement. She explained that the Council of State Governments had submitted a proposal to the U.S. Department of Energy (DOE) for 1997 for \$62,000, which included \$52,000 plus \$10,000 rollover. She indicated that the staff would spend time in the coming months putting transportation project information and some publications on CSG's homepage on the World Wide Web. She added that the Midwestern Emergency Preparedness and Response Agency Report and update to the Index of Available Resources was available.

Ms. Sattler told the committee that the update to the Handbook of High-Level Radioactive Waste Transportation would go to the printer on Friday. She asked that the committee discuss the language they would like to see in the Handbook regarding their position on the safety of spent fuel shipments.

Ms. Carol Ann Kania gave an update on the Transportation External Coordination Working Group (TEC/WG) meeting in Pittsburgh in July. She said the main topics of discussion at the meeting were DOE's Notice of Proposed Policy and Procedures for the Implementation of Section 180(c) and DOE's efforts to create a market-driven transportation system.

Mr. Crose described the TEC/WG's topic groups. He also showed the committee a report on funding sources for technical assistance. Ms. Judith Holm from DOE's Office of Environmental Management said she had transferred \$50,000 to the Chicago Operations Office to fund the committee's work in assisting with transportation planning for EM-sponsored shipments of radioactive waste. She also expected DOE's Office of Spent Fuels to contribute \$50,000.

Committee Discussion: Routing of Highway and Rail Shipments

Mr. Frank Moussa described the work of the routing subcommittee. He said the subcommittee felt the need to consolidate the timetable for development of the routing plan after the D.C. Circuit Court of Appeals ruling that DOE needs to accept spent nuclear fuel in 1998. This summer, the subcommittee asked states to prepare lists of routes most likely to be used for spent fuel shipments. The subcommittee also discussed the need for planning guidance, or activities that need to be completed before shipments can begin.

The subcommittee has many questions, including where any interim federal facility will be located and if large-scale shipments would begin right away. Mr. Moussa also noted that levels of preparedness differ from state to state. For example, Iowa has trained its responders and is prepared for shipments.

At this meeting, the subcommittee seeks endorsement of the state-identified routes and direction from the committee on the need for planning guidance. Also, the committee may want to discuss whether or not to formally request a response from DOE on how 1998 shipments will be handled.

Mr. Moussa also discussed the TEC/WG routing subcommittee, saying that some stakeholders would like to see uniform criteria and others want more flexibility. Planning for shipments to the Waste Isolation Pilot Plant (WIPP) in Carlsbad, NM and shipments of cesium capsules and Low-Specific Activity Nitric Acid can be used as models. There is general concern about local involvement in the planning process. Mr. Crose said committee staff will include TEC/WG subcommittee meeting minutes in future correspondence.

Mr. Moussa asked Ms. Elissa Turner from DOE's Office of Civilian Radioactive Waste Management (OCRWM) what DOE planned to do about shipping fuel in 1998. Ms. Turner responded that she could not say at this time but that DOE was working on it.

Mr. Crose asked the committee if they felt there was a need for a planning guidance subcommittee. Mr. Thor Strong (Michigan) noted that the routing subcommittee seemed to have more questions than answers. Mr. Tim Runyon (Illinois) said Illinois did not identify any routes because they were hesitant to propose routes that may be in conflict with routes currently used to ship spent nuclear fuel. Also, there is a reluctance to designate routes before a mode of transport has been determined. Therefore, Illinois does not want to commit to a route plan prematurely. He noted that a recent shipment through Illinois was canceled because the route plan was not submitted in time to the Nuclear Regulatory Commission (NRC) and therefore the NRC failed to approve the route. The Illinois Department of Transportation feels that this issue needs to be studied more.

Mr. Kevin Blackwell of the Federal Rail Administration told the committee that the final mode and route study called for in the 1990 Hazardous Materials Transportation Uniform Safety Act has been completed by the Department of Transportation's Research and Special Programs Administration and will be available in January.

Mr. Bob Owen noted that the routing plan does not represent a commitment from any state, but serves as a profile of potential routes. Mr. Moussa added that working on the plan sparked discussion between Kansas and the nuclear utility. There was discussion of routing radioactive cargo through a tunnel in Colorado and how this route would affect routes in the corridor states.

Mr. Thor Strong noted that there were many competing interests and pressures on states. Many states, he said, are part of the Nuclear Waste Strategy Coalition and pushed for DOE to accept waste by 1998. In Michigan, he said, work on the routing plan prompted discussion between agencies, and Mr. Runyon agreed that this occurred in Illinois as well. However, he added that Illinois may not agree with the routing maps released by Nevada that show much of the CRWMS waste going through Chicago and St. Louis.

Ms. Holm told the committee that DOE will use HM-164 regulations to route CRWMS shipments but will involve stakeholders in the process. Mr. Ron Ross from the Western Governor's Association (WGA) said HM-164 may be better for short-term shipping campaigns but for long-term campaigns, other factors may become significant. Mr. Dave Cudmore from Nebraska said if states do not plan to use HM-164 guidelines, there needs to be time for the states to conduct public hearings, and suggested that TEC address the issue.

There was a discussion about the need for planning guidance. Committee members agreed that there was no need to duplicate work already done and suggested examples of planning guidance already in existence, including the WIPP Program Integration Guide. Committee members agreed to furnish any planning guidance already in existence in their states to committee staff. Mr. John Kerr from Minnesota noted that many of these plans are all-hazard and that radioactive waste may require special plans. There was a discussion of a possible recommendation that states use a team approach to emergency response.

There was discussion about the TEC/WG rail subcommittee. According to Kevin Blackwell, this subcommittee plans to have a rail paper ready by the next TEC/WG meeting in January.

The committee then discussed language for a statement in the Handbook of High-Level Radioactive Waste Transportation on the committee's position on the safety of shipments of radioactive waste. The committee agreed on the following language: "DOE has committed to following all federal, state, tribal, and local laws and regulations that apply to radioactive waste transportation. The Midwestern High-Level Radioactive Waste Committee believes, therefore, that the transport of spent nuclear fuel and high-level radioactive waste—if conducted in compliance with all federal and state regulations, and with adequate preparation and communication—can be achieved safely." The committee also approved committee staff's proposal to seek two new legislative appointments.

Committee Discussion: Joint Meeting with Other Regions

The committee discussed topics and plans for a possible joint meeting of the regional transportation groups next year. Potential topics included the need for a national routing plan, the need to raise the general visibility of DOE transportation efforts, lessons learned through recent shipping campaigns, and the need to coordinate planning for shipments of all kinds of waste. The joint meeting is scheduled to take the place of the spring or fall meeting next year and will be hosted by the West or the South.

December 17

Improving Emergency Response to Hazardous Materials Incidents

Mr. Larry Zoeller from Operation Respond described the organization's purpose and services. Operation Respond, he said, was created in 1992 out of a need for a database to provide immediate information on hazardous materials shipments to first responders. In 1995, the Operation Respond Institute opened with both public and private funds. Operation Respond's steering committee consists of representatives from the trucking and rail industries, first responders, labor, and elected representatives.

One of Operation Respond's products is the Operation Respond Emergency Information System (OREIS), which is connected to databases at rail and truck companies to provide online information about specific shipments. This software is in the demonstration mode in various cities, and allows for secure access to companies' mainframe computers. Operation Respond also provides first responder reference material, model training curriculum and lessons learned reports.

Federal Regulation of Rail Shipments of Radioactive Materials

Mr. Blackwell from the Federal Rail Administration discussed the administration's rail inspection program. He introduced Mr. Bruce Mibeck, a hazardous materials inspector for the states of Michigan, Indiana, Illinois, Wisconsin, and Minnesota. Mr. Blackwell indicated that he had available lists of contacts for each region. There are 400 FRA inspectors nationwide.

Mr. Blackwell distributed copies of FRA's inspection policy, noting that this policy was developed in response to shipments of damaged fuel from Three Mile Island to Idaho National Engineering Laboratory. According to the policy, prior to the first shipment of a high-level nuclear waste campaign, the FRA will inspect the entire track line and signal system of that route. He added that it may be difficult for the FRA to keep to this policy in the future when the numbers of shipments increase.

FRA officials, he said, will not ride the train with the shipment and will rely on local responders for first response as FRA personnel have no radiation detection equipment. Mr. Blackwell noted that due to the inspection program, accidents have decreased even while freight traffic has increased.

The FRA's safety assurance and compliance program, said Mr. Blackwell, seeks to identify and correct the root causes of system-wide problems. The FRA's work in recent years has gone a long way to removing the adversarial relationship between industry and inspectors, he said. The FRA has 139 certified state inspectors nationwide, all with the same authority as a federal FRA inspector.

Rail Shipments of Radioactive Materials: Industry Position

Mr. Robert Fronczak, Executive Director of Environmental Affairs for the Association of American Railroads, presented the rail industry's perspective on routing issues. According to Mr. Fronczak, the AAR represents U.S., Canadian, and Mexican railroads and has over 600 employees at its offices in Washington D.C. and Pueblo, CO. The AAR is involved in advocating rail interests and in promoting safe rail transport.

Mr. Fronczak presented statistics indicating that spent nuclear fuel constitutes less than one percent of carloads by commodity in 1995. He told the committee spent nuclear fuel transport has the ability to severely disrupt normal freight traffic. AAR is encouraging DOE to use dedicated trains for transporting this material, as they would minimize the amount of time it would take to transport waste to a repository. He also discussed railroad infrastructure, emergency response, and routing.

Office of Environmental Management Update

Ms. Holm presented the committee with a list of shipments in the coming year and provided information on those shipments that will impact the Midwest. She said the goal was to have the cooperative agreement groups tied to regional DOE offices and perhaps run the agreements through regional offices. She also noted that TRANSCOM will be available in a Windows interface this spring, and she encouraged states that do not have TRANSCOM to look into getting it.

Shipments of foreign fuels from Charleston to Idaho National Engineering Laboratory will cross the Midwest in 1998, said Ms. Holm. A transportation plan should be available in January. As for funding to cooperative agreement groups, the South has received \$75,000 and the Midwest and Northeast should get that amount. The Western Governors' Association has asked for \$800,000 but will not get that amount. Ms. Holm noted that DOE would like to get away from campaign-specific funding.

According to Ms. Holm, DOE is decentralizing many of its functions. Operations, for example, will move to Albuquerque and system engineering will move to Idaho. She added that there is still talk of moving the department out of cabinet-level position.

Roundtable of Midwestern State Activities

Mr. Bob Owen reported that Ohio recently saw shipments of Cobalt-60 from Canada. The Ohio Low-Level Radioactive Waste Authority has hired a screening contractor to begin the process of looking for a low-level waste facility in the state. Also, the Ohio Department of Health is seeking agreement state status with the NRC.

The Ohio Emergency Management Agency is offering emergency response training in 1997. If Ohio can guarantee 60 attendees, the NRC will pay for it. If anyone is interested in participating, Mr. Owen said, call Ms. Carol O'Claire at the Ohio Emergency Management Agency.

Mr. Strong reported that the Michigan legislature saw legislation in November to institute a volunteer process for siting a low-level radioactive waste facility. The legislation did not advance but may be reintroduced next year. He also reported that as a result of working together for the routing report, the Michigan Public Service Commission, Department of Transportation, state police and Department of Environmental Quality formed an ad-hoc committee on high-level radioactive waste.

Mr. Cudmore described the recent accident involving what was suspected to be nuclear cargo being transported from Ellsworth Air Force base near Rapid City, South Dakota to the Pantex nuclear weapons plant near Amarillo, Texas. He also informed the committee that Nebraska's agreement state status may be affected by the conclusion of FEMA's radiological equipment program, as Nebraska now must make plans to dispose of an instrument calibrator.

Mr. John Kerr reported that Minnesota completed an investigation on whether the state can discontinue payments into the Nuclear Waste Fund, and the recommendation is that the state keep funds in internal escrow and release them only when certain conditions have been met.

Ms. Beth Fulmer from the Southern States Energy Board reported that the SSEB Transuranic Waste and high-level committees have been combining meetings.

Mr. Moussa reported that requests for radiation training in Kansas have quadrupled. Wolf Creek Nuclear Power Plant purchased \$10,000 worth of radiation detection equipment to compensate for the fact that the Federal Emergency Management Agency will no longer provide this equipment. Mr. Moussa's department also put in a request to add a public education position to the 1998 budget.

Mr. Crose reported on Indiana's involvement in the routing subcommittee and the TEC/WG subcommittees.

Mr. Runyon reported that Illinois saw a shipment of radioactive material derail in July, causing the release of some radiation. Eleven cars turned over, and three contained thorium-contaminated soil. He was impressed that within 24 hours, the rail company had the track cleaned up and operational. Mr. Blackwell noted that the FRA can supply an accident report for any rail accident on file. Mr. Runyon also reported on his trip to Moscow to discuss spent fuel transportation and packaging with the Russian federation.

Captain Bob Young (Wisconsin) reported on the accident at the Point Beach Nuclear Power Plant involving one of the plant's concrete spent fuel storage casks. Loading of more casks is on hold pending an investigation. He also noted that the rail industry's response to the hazardous materials accident in Weyauwega was impressive. He described to the committee a recent report on intelligent transportation. Mr. Crose said he would like a copy.

Mr. Tom Lange reported that waste was likely to be removed from a FUSRAP site near St. Louis in the near future.

Mr. Ross from the Western Governors' Association said WGA was concerned about the lack of Congressional support for DOE's transportation programs. WGA will work on communicating these concerns to Congress.

Dr. Bill Naughton from ComEd reported that Holtec International submitted a design for a storage and transportation cask to be used at the two Dresden reactors. He also reported he is managing ComEd's project to help convert excess nuclear weapons to fuel for electricity. Eighteen utilities are part of this project.

Office of Civilian Radioactive Waste Management Update

Mr. Dwight Shelor from OCRWM presented the committee with an update on the civilian radioactive waste system. He prefaced his remarks by informing the committee that DOE's position on the department's ability to meet the 1998 deadline for accepting waste was released that day. DOE, he said, does not anticipate moving spent nuclear fuel by January 31, 1998. If the delay is deemed unavoidable, schedules in the utilities' contracts with DOE may be adjusted. If the delay is deemed avoidable, utilities may be entitled to compensation.

Mr. Shelor told the committee a draft request for proposals on DOE's market-driven transportation system will be released December 30 with a 90-day comment period.

There was discussion of state involvement in selecting carriers. Committee members also wondered why DOE chose to use the four NRC regions in awarding contracts. Mr. Shelor said four contracts seemed to be easiest to work with. NRC regions were chosen because those regions have established contact with utilities. There was a discussion of how much risk DOE would assume in the contracts.

The remainder of Mr. Shelor's presentation consisted of an update on the activities of the Office of Civilian Radioactive Waste Management. According to Mr. Shelor, OCRWM requested \$200 million for 1997 and received \$382 million with instructions not to fund the state of Nevada or Nevada counties. Of the \$382 million, \$325 million was allocated for the Yucca Mountain project, \$10 million for Waste Acceptance, Storage and Transportation and \$47 million for project management. Mr. Shelor added that the tunnel boring machine at the Yucca Mountain project is expected to complete excavation in the Spring of 1997.

Committee Discussion

The committee then discussed the next meeting. It was decided that the next meeting would be in May or June. Committee staff would send out calendars asking for committee members to indicate dates available and would also take suggestions for locations.

John Kerr reported that he had no formal contact with the Nuclear Waste Strategy Coalition after Commissioner Kris Sanda's report at the committee's last meeting. He said he would continue to seek information on the Coalition's activities.

The meeting adjourned at 4:00.