April 30, 2001

David G. Huizenga
Deputy Assistant Secretary
for Integration and Disposition
Office of Environmental Management
U.S. Department of Energy
1000 Independence Avenue, S.W.
Washington, DC 20585

Dear Mr. Huizenga:

Thank you for providing representatives of the Midwestern region the opportunity to speak with you about DOE’s ongoing initiatives related to radioactive materials transportation. As chair of The Council of State Governments’ Midwestern High-Level Radioactive Waste Committee, I am sorry that I, personally, was not able to participate on the call. Tim Runyon, the Illinois member and vice chair of the committee, represented the region on the call, along with Thor Strong from Michigan and Lisa Sattler of the CSG staff. I am writing to follow up on that discussion and to convey some of the ideas that the Midwestern committee has been considering and will be discussing at its upcoming meeting in June.

We acknowledge the challenges you are facing with the ongoing assessment of the Environmental Management program. Furthermore, we agree that there are efficiencies to be gained in DOE’s transportation activities, and the proposed consolidated grants might be one possibility. We suggest that, in order to make its transportation programs “do more with less,” the Department needs to examine the existing system closely to identify what works, what does not, and what falls somewhere in between.

Regional Cooperative Agreements

The regional approach to transportation planning works. With its gubernatorial and legislative appointees, the CSG Midwestern High-Level
Radioactive Waste Committee has, for eleven years, been the forum through which the Midwestern states work with each other, the Department, and the other regions to plan and prepare for DOE’s shipments of radioactive materials. This approach has proven to be successful for multiple shipping campaigns in the Midwest and the other regions.

Moreover, in terms of efficiency, there is no better approach. Through one call to the CSG staff, all 12 of the Midwestern states can get information on DOE’s radioactive materials shipments. Similarly, a DOE program manager can contact the regional staff to obtain access to up-to-date information on the states, including points of contact, fees, and other legal requirements. We strongly support this highly successful approach, and we would like to see DOE make a stronger commitment to continuing to support the regional cooperative agreements with organizations such as CSG.

Consolidated Planning

The established planning process works much of the time, but there is ample room for improvement. Many programs are just now beginning to embark on shipping campaigns, some of which will span several years. For most programs involving similar types of material, the issues, concerns, and solutions will be similar. It makes sense, therefore, to address these campaigns in conjunction with one another.

The regular meetings of CSG’s Midwestern High-Level Radioactive Waste Committee and its counterparts in the other regions provide an excellent opportunity to address all DOE radioactive materials shipments together with the duly appointed state officials. In recent years, in fact, the Midwestern Committee has — often within the confines of a single meeting — very successfully worked with representatives of DOE’s Spent Fuel Program, National TRU Program, Ohio Field Office, and West Valley Demonstration Project to plan their shipments of spent fuel and transuranic waste. Programs that were off to an early start with shipments — such as the Spent Fuel Program — organized their own separate working groups involving more than one region. Now that those shipments are becoming fairly routine, we believe DOE should consider concentrating all its planning activities on a regional basis — including the cross-country transfers of spent fuel between the Savannah River Site and the Idaho National Engineering and Environmental Laboratory. We believe the meetings of the established committees are the proper forum for working with the corridor states to plan for shipments.

To further streamline its transportation planning, DOE should consider developing a set of standard or “model” transportation, communications, and emergency management plans\(^1\) for broad categories of radioactive materials (spent fuel, high-level waste, transuranic waste, and

\(^1\) At one point, DOE appeared to be on the verge of developing material-specific transportation plans, but we have not seen this idea come to fruition.
low-level waste). For example, the transportation plan for the cross-country shipment of foreign research reactor spent fuel, developed by DOE's Savannah River Operations Office, would make an excellent template for other spent fuel shipping campaigns. Had DOE chosen to use this plan (and the accompanying documents) as the basis for the West Valley spent fuel shipment, the Department, the corridor states and tribes, and the regional staff could have greatly reduced the amount of time they spent writing, reviewing, and commenting on similar documents created from scratch.

Similarly, DOE should avoid reinventing the wheel in the area of public communications. DOE's National Transportation Program (NTP) produces a number of useful fact sheets and other public information materials specifically intended to inform stakeholders about radioactive materials transportation. Most of these materials were developed with input from the Communications Topic Group of the Transportation External Coordination Working Group (TEC/WG). DOE programs with upcoming shipping campaigns should make use of the NTP materials — perhaps supplementing them with a brief fact sheet or two specific to the program and its shipments. Doing so would make use of what is already available, thereby reducing the costs for both DOE and the states.

Implementing the transportation protocols will go a long way toward bringing consistency to DOE’s shipment planning activities. The regional groups and the TEC/WG worked very hard with the DOE Writing Group to develop the protocols. We strongly encourage you to do whatever possible to speed up the internal review of the protocols so that they can be implemented in a timely fashion.

We believe DOE needs to do a better job of keeping track of past, present, and projected shipment numbers. Ideally, the baseline disposition data should feed into the Prospective Shipments Module. On an annual basis, DOE should analyze the correlation between the projections and the actual shipment numbers for the purpose of improving the accuracy of future projections.

Consolidated Grants

One aspect of DOE’s transportation planning that definitely does not work is the process by which the Department allocates and distributes financial assistance to the corridor states. As I’m sure you are aware, the Midwestern states have historically seen many shipments but few dollars. According to the figures provided by DOE in its “Draft Framework,” the Western and Southern regions, together, received close to 95 percent of the financial assistance available to the states in FY98 and FY99, with the vast majority of the funding directed to the Western states. One Western state received $1.2 million in assistance in FY98, despite an impact of just 150 shipments. In contrast, that same year, 786 DOE shipments passed through Iowa, but the state did not receive a single dollar from DOE to assist with state preparations. Clearly, this inequity
needs to be corrected. We believe consolidated grants, if properly implemented, have the potential to do just that.

Although we are far from settling on a formal regional "position" on implementing the grants, we are in general agreement on certain matters. We believe the goal of the consolidated grants should be to assist states and tribes in augmenting their response capabilities, not to develop broad-based capabilities where none exists now. Furthermore, the awards should be based solely on the projected impact that DOE shipping campaigns will have on each recipient. In other words, a state should receive assistance from DOE only during or immediately preceding the years in which the state will be affected by the Department's shipments.

We also believe the allocation formula should be as simple as possible. To date, the most compelling suggested approach is to use three factors — mileage, population, and shipment numbers — all equally weighted. As responsible stewards of taxpayer dollars, we believe the commonly cited figure of $10 million to fund the grants is likely to be sufficient to meet the goals of the program.

Another potential benefit of the consolidated grants is that they would move DOE further away from the established, inefficient approach of planning, training, and providing funding on a campaign-specific basis. While there may be a need to address some matters (e.g., routing material characteristics) on such a specific basis, it does not make sense to train emergency personnel to respond to incidents related to a particular campaign. Radioactive materials training needs to be modeled more on hazardous materials training so that responders will have confidence in their abilities to handle any incident involving a DOE or other radioactive materials shipment.

For instance, in reaction to the prospect of the MOX fuel shipment through Michigan, local emergency responders stated that they knew how to respond to all sorts of hazardous materials incidents, but had never received specific training for a "plutonium incident." In reality, however, the risks and challenges posed to responders vary less across the spectrum of radioactive materials than they do across the spectrum of other hazardous cargo.

As officials duly appointed to represent our states in the area of radioactive materials transportation, we believe it is our responsibility to convey to the emergency response community, the public, the media, and our elected officials a realistic sense of the risks posed by the transport of radioactive materials. By moving us away from a shipment-specific frame of reference for planning, training, and preparing for safe, routine transport and incident response, the consolidated grant concept would help us greatly in that effort.

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These are just a few of the ideas the CSG Midwestern High-Level Radioactive Waste Committee will discuss at its spring meeting, which is scheduled for June 5-6 in Idaho Falls, Idaho. We would be very pleased to have you join us in Idaho for this important discussion. Our regional workshop is currently scheduled for the evening of June 5 (an agenda is attached). Please contact Ms. Sattler at 920-803-9976 if you are interested in attending or if you have any questions about our meeting or this letter. We will follow up the regional workshop with a letter to you summarizing the results of our discussion.

Again, thank you for the opportunity to convey these suggestions to you. We look forward to continuing to work with you and your staff to further explore these and other ideas for improving DOE’s transportation activities.

Sincerely,

Frank H. Moussa, M.S.A.  
Administrator, Technological Hazards Division  
Kansas Division of Emergency Management, and  
Chair, Midwestern High-Level Radioactive Waste Committee

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