



The Council of  
State Governments  
**MIDWESTERN  
OFFICE**

By fax: (202) 586-0449

January 31, 2005

Frank Marcinowski  
Deputy Assistant Secretary for  
Logistics and Waste Disposition Enhancements  
U.S. Department of Energy  
1000 Independence Avenue, S.W.  
Washington, DC 20585

Dear Mr. Marcinowski:

Thank you for your letter of December 21, 2004, announcing the reorganization that will affect EM's transportation management. As the regional representatives on DOE's TRANSCOM User Group, we are writing to obtain more information and express some concerns regarding the decision to transfer TRANSCOM to the Carlsbad Field Office (CBFO).

We have worked with Casey Gadbury for several years and believe he is a very competent and capable manager. Nevertheless, we do have some concerns about the transfer. The Western states currently use TRANSCOM predominantly to track WIPP shipments. The Midwest, however, relies on the system to track other shipments, such as spent fuel and depleted uranium hexafluoride (DUF<sub>6</sub>). We agree with you that it is very important for any transition to take place without disruption of service, support, or information. It is also very important that the system development and evolution that began with TRANSCOM 2000 continue in its new home. To give us greater assurance that this will be the case, we are directing these comments and questions to you in the hope of beginning a dialogue on the upcoming transfer.

We have some concern that the transfer might not be in the best interest of TRANSCOM as a department-wide asset. The CBFO's main mission is the transportation and disposal of transuranic waste. TRANSCOM's success is partly the result of its autonomy from specific shipping sites and the

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contractor's ability to deliver high quality customer service equally. What assurance will we have that the CBFO will place as high a priority on tracking other shipments and delivering the high quality of service to which we have grown accustomed?

TRANSCOM made great advancements when managed by the National Transportation Program (NTP) in Albuquerque. The system will need to undergo further improvements in the coming years both to maintain the current level of service but also to accommodate OCRWM's shipments to Yucca Mountain. The current development and operations contractors are intimately familiar with the TRANSCOM system, are highly responsive to users' needs, and provide timely service for program changes and upgrades. It is not clear that the hardware, network, and contractors necessary to keep the system moving forward exist at or near the CBFO. Will the CBFO be willing to take on these resource-intensive activities for the benefit of other programs?

The NRC has approved TRANSCOM for transmitting sensitive (OUO and SAFEGUARDS) information pertaining to spent fuel shipments. The information security requirements for spent fuel shipments are greater than those for transuranic waste shipments and other non-classified shipments. Is the CBFO's information technology infrastructure sufficiently secure to assume responsibility for and accommodate the tracking of spent fuel shipments? If not, how long will it take to make the necessary upgrades? Also, are CBFO staff trained and qualified at high enough security levels to access all of the necessary information?

The Federal Emergency Management Agency's 2004 guidance on Federal Executive Branch Continuity of Operations requires federal agencies to maintain, among other things, alternate operating facilities and interoperable communications. How has EM addressed this requirement with regard to TRANSCOM as an essential function?

When TRANSCOM moved to Albuquerque from Oak Ridge, NTP kept the states apprised throughout the transition. Moreover, the program consulted the states regularly during the development of the current version of the software. In contrast, DOE appears to have made the recent decision on the transfer without any input from some of the same external stakeholders that the move is intended to serve.

In the future, to truly "enhance the dialogue" between the states and EM, we strongly suggest that EM tap the TRANSCOM User Group. The User Group is a valuable resource for keeping the states informed and soliciting feedback on their needs and their concerns. In August, the User Group developed a set of agreed-upon upgrades and enhancements for the system. We would like some assurance that EM will pursue these improvements and that the annual meetings of the User Group will continue, regardless of where the system is housed.

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We would like to set up a conference call with you or members of your staff, along with state TRANSCOM users in our regions. The purpose of the call would be for the states to obtain additional information from EM with regard to the transfer. Please coordinate with Ms. Lisa Sattler of the CSG Midwest staff (920-803-9976) to set up such a call.

Thank you for your attention to this important matter. If you have any questions, please feel free to contact us.

Sincerely,

A handwritten signature in black ink, appearing to read "Timothy A. Runyon". The signature is written in a cursive style and is positioned above a thin red vertical line.

Timothy A. Runyon  
Illinois Emergency Management Agency,  
Division of Nuclear Safety  
(217) 786-6365

A handwritten signature in black ink, appearing to read "William Craig". The signature is written in a cursive style.

William Craig  
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cc: Dennis Ashworth  
Thomas Hughes  
Sandra Threat  
Tony Lucero