AK RIDGE RESERVATION

Environmental Management

December 4, 1998

U.S. Department of Energy
Nevada Operations Office
Attn: Michael G. Skougard
P.O. Box 98518
Las Vegas, NV 89193

Dear Mr. Skougard:

The Oak Ridge Reservation Environmental Management Site Specific Advisory Board (ORREMSSAB) supplies herewith our comments on the Preapproval Draft Environmental Assessment: "Intermodal Transportation on Low Level Radioactive Waste to the Nevada Test Site" (September 1998).

We ask that we receive future revisions to this document that incorporate public comments; a copy of the "Comment Response" document, if one is prepared; and other information that may pertain to this issue.

Sincerely,

William M Pardue

William M. Pardue, Chair

WMP/sb

Enclosure

cc: R. Nelson, DOE/ORO
M. Heiskell, DOE/ORO
M. Crosland, DOE/HQ
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Comments on Preapproval Draft Environmental Assessment (EA):
"Intermodal Transportation of Low Level Radioactive Waste (LLW)
to the Nevada Test Site (NTS)"
Oak Ridge Reservation Environmental Management
Site Specific Advisory Board

The Oak Ridge Reservation Environmental Management Site Specific Advisory Board (ORREMSSAB) has reviewed the Preapproval Draft Environmental Assessment (EA): "Intermodal Transportation of Low Level Radioactive Waste to the Nevada Test Site" (September 1998).

ORREMSSAB does not have the technical expertise required to perform a detailed review of the mass of extremely detailed data and analyses contained in the EA. Instead, we restrict our remarks to more general topics.

Comparison of Rail and Highway Transportation

We are convinced by our independent review of a large body of literature and data that rail transportation is less risky and less costly on a weight-distance basis than is highway transportation. Thus, we conclude that, in general terms, rail movement of low level waste (LLW) is preferable to movement by truck.

Routing by Highway

We strongly agree that routing of most highway shipments of LLW over Hoover Dam and through the heavily congested area of the interchange of US 93/US 95 and I-15 in the metropolitan Las Vegas area is counter-intuitive to the intent of minimizing risk to the public (although it may be less costly than alternate routes). Therefore, we believe that this route should be avoided if at all possible.

However, we do note that the use of alternative highway routing could be implemented. Under the Department of Transportation (DOT) regulations, alternate routes which neither maximize interstate usage nor minimize distance can be negotiated between the primarily impacted state (Nevada in this case) and the shipper (Department of Energy [DOE]). Further, the use of any such route can be required by the common carrier under terms of the contract with DOE. Similarly, although DOT regulations, in conformity with the Commerce Clause of the U.S. Constitution, preclude any state-imposed restrictions on interstate transportation of LLW, the State of Nevada can negotiate with DOE binding agreements regarding items such as notification of shipments, time of day restrictions, and inclement weather clauses in shipping campaigns. While all of these factors may add incremental cost to disposal of LLW compared to costs of the current routing, the ORREMSSAB believes that the resulting slightly increased safety and likely greatly improved public perception of the transportation system merits consideration.

Intermodal Transportation

ORREMSSAB accepts the general thesis that intermodal transportation as discussed in the EA will result in reduced costs and likely lower public risk compared to the present truck transportation (no action) scenario. However, the actual reductions themselves are not likely to be dominant in any decision; rather the improvement in Nevada citizen public perception is likely to be the most persuasive argument for an intermodal approach.

Considerations Relating Specifically to Rail Transportation and not Addressed in EA

There are several items that are associated with maximized use of rail transportation that are not discussed in the EA. First, shipping LLW as general freight on the railroad of the U.S. does not allow any control over routing notification, and some other aspects of safety. Costs are generally established by tariff and are usually based on air miles between shipper and disposal site. Also, once the railroad accepts the LLW for transport, there is little control on the part of DOE. Railroads can, and do, choose routes which are convenient to their overall operations with no consideration of public risk, and can impose delays of the unattended rail cars in any location (sidings, yards, etc.) for any duration of time. Notification of affected states of transit is not common or often feasible, and quality or the condition of rail line utilized is at the railroad discretion. Finally, most major rail lines pass through the centers of metropolitan areas. This causes an increase in potential human risk that may be offset by the general lack of population in close proximity to rural railroad tracks.

General Note on Cost Analyses

We note that the cost information (Tables 2-2, 3-3, and 4-2) is based on FY 97 shipment rates. ORREMSSAB has expressed its strong belief that LLW from the Oak Ridge Reservation (ORR) should be disposed of at NTS. Because ORR was not an approved shipper under the NTS-Wide Environmental Impact Statement (EIS), it did not have shipments to NTS in FY 97. Similarly, Hanford and Idaho National Environmental Engineering Laboratory were not shipping to NTS during that period. Some or all of the sites which are not included in the FY 97 data that have high volumes of LLW likely to be shipping to NTS after the Records of Decision based on the Waste Management Programmatic Environmental Statement are issued. This situation may result in a difference in the relative costs of the transportation alternatives.