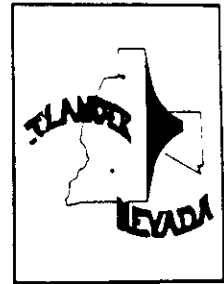


LANDER COUNTY COMMISSIONERS

*Chairman: Jerry LaMiaux
Vice Chairman: Heather Estes
Commissioner: Jim Fouts*



March 28, 1995

U.S. Department of Energy
C/O Ms. Lois Smith
TRW Environmental Safety Systems
2650 Park Tower Drive, Ste. 800
Vienna, Virginia 22180
Attn: Section 180(c) Comments

RE: LANDER COUNTY COMMENTS ON 180(c) IMPLEMENTATION

Dear Ms. Smith

The Board of Lander County Commissioners is pleased to submit the following comments to DOE'S Notice of Intent concerning safe transportation and emergency response training. Lander County is one of ten affected units of local government participating in the Yucca Mountain Project pursuant to the Nuclear Waste Policy Amendments Act, as amended. Several potential transportation routes to Yucca Mountain including the Carlin Rail Route pass through Lander County.

Implementation of Section 180(c) of the Nuclear Waste Policy Act needs to recognize several issues:

- 1) The isolated and rural nature of communities located along transportation routes in Nevada and across the Country: Many communities are located significant distances from urban areas where more sophisticated emergency response capabilities are currently located. Areas of Lander County are in excess of 200 miles from State's Capital, Carson City.
- 2) The volunteer nature of local emergency response agencies in communities such as Battle Mountain and Austin, Nevada: Without full-time trained staff, it may be difficult to maintain the availability of adequately trained emergency response personnel. Furthermore, accessibility to training resources is difficult requiring volunteers to travel to urban areas to obtain assistance and training.
- 3) Limited financial capacity to support emergency management capabilities for high level nuclear waste: Financial assistance needs to be provided for training, equipment, and medical services. Smaller communities do not have financial resources available to fund adequate response capabilities.

- 4) Responsibility needs to be clearly delineated: Financial assistance needs to be consistent with the responsibility and the functions of the local emergency response providers.
- 5) Subsidies need to be directed to local emergency responders, to deal with as few agencies as possible. For the sake of maximum cost effectiveness and best communication of on-going, changing conditions, it is critical to deal as directly as possible with local entities.

Lander County encourages the Department of Energy to consider an implementation strategy which provides the greatest possible response capabilities to local agencies directly serving communities along the transportation routes. Training must occur in communities along transportation routes where emergency responders reside and 180(c) must allow for the acquisition of needed emergency response equipment.

Lander County is generally supportive of agreements with State, Local, Tribal, and other Organizations (Option 2) as long as financial assistance is sufficient to provide a desired level of response capability. Matching fund requirements by local emergency response agency should not be a requirement of 180(c) implementation.

In the event DOE chooses an implementation option which does not provide assistance directly to local agencies, consultations with communities along transportation routes should be required as a condition of any implementation option.

DOE needs to continue to ensure adequate emergency response capabilities are maintained along transportation routes throughout the course of the high-level nuclear waste shipping campaign. Such a campaign may continue for twenty or more years. Continued financial commitment is required to ensure adequate response capabilities.

Thank you for the opportunity to provide comments on 180(c) implementation.

Sincerely,



Gerald La Miaux, Chairman
Lander County Commission