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LINCOLN COUNTY

NUCLEAR WASTE PROJECT

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May 18, 1995

**Dr. Daniel Dreyfus, Director
Office of Civilian Radioactive Waste Management
United States Department of Energy
c/o Lois Smith
TRW Environmental Safety Systems
2650 Park Tower Drive, Suite 800
Vienna, Virginia 22180**

RE: Comments to OCRWM NOI: Safe Transp. & Emerg. Response Training

Dear Dr. Dreyfus:

Lincoln County has reviewed the subject NOI dated 1/6/95 and offers the following comments thereto. At the outset it is important to note that legislation pending before the Congress could result in shipments of spent fuel through Nevada beginning soon after January 31, 1998. It is therefore imperative that DOE begin immediately to finalize and implement effective strategies for training and equipping emergency first responders located along probable transportation routes in Nevada. Lincoln County and the City of Caliente have adopted Joint Resolution 2-95 which recommends that the Secretary of Energy establish and fully implement an effective Section 180(c) program 12 months prior to the first shipment through Nevada. DOE may face legal barriers in the event that shipments of spent nuclear fuel through Nevada are attempted prior to appropriate training and equipping of first responders pursuant to Section 180(c) of the Nuclear Waste Policy Act, as amended.

With regard to various options for implementation of Section 180(c), Lincoln County believes Option 4: Establish an OCRWM Grant Program to offer the greatest degree of benefits to both the federal government and to affected jurisdictions. Option 4 would result in Section 180(c) technical and financial resources flowing directly to affected parties. As a consequence administrative costs for the process of providing needed training and equipment will be minimized. Minimization of program management costs will ensure that the greatest amount of funding and technical assistance are provided to those who will be ultimately responsible for protecting public, health, and safety through effective emergency response capabilities. DOE's current program of providing direct payments to affected units of local government has proved very efficient.

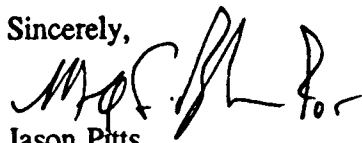
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Each of the other options included within the NOI will result in layers of administration and related cost and inefficiency. We can not risk the potential for inefficiency which may result from imposition of unnecessary layers of bureaucracy.

A direct payment program, similar to that used for affected unit of local government oversight activities, would result in the greatest degree of flexibility for recipients. Division of funds could be left to collections of affected parties (ie. counties within a state). Affected units of local government have been able to reach consensus on division of oversight monies allocated by Congress. Section 180(c) funds should be available for both training and equipping of emergency first responders. DOE's goal should be the protection of public health and safety along transportation routes. To accomplish this goal, DOE should adopt objectives of adequately training and equipping first responders. A well-trained first responder which is not properly equipped will be limited in his/her response capability. Similarly, a well-equipped responder not properly trained to use said equipment may be a danger to him/her self and others around them.

I trust that these comments will be helpful in DOE's efforts to expeditiously design and implement an effective Section 180(c) program.

Sincerely,



Jason Pitts
Coordinator

cc: Judy Larson, City of Caliente