

Bill Anoatubby Governor Jefferson Keel Lieutenant Governor

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January 7, 2008

Ms. Corinne Macaluso c/o Ms. Patricia Temple Bechtel SAIC, LLC 955 North L'Enfant Plaza SW. Suite 8000 Washington. DC 20024

Dear Ms. Macaluso:

Subject: U.S. Department of Energy Request for Comments
Transportation of radioactive materials to Yucca Mountain repository

The Chickasaw Nation received a notice from the U.S. Department of Energy's (DOE) Office of Civilian Radioactive Waste Management, requesting comments on the proposed revised policy on Section 180 (c) of the Nuclear-Waste Policy Act

The DOE plans to ship radioactive materials along a **route** lying within the Chickasaw Nation. The Chickasaw Nation is interested in obtaining the necessary training for our first responders, including our Lighthorse Police Department and fire department.

Also included with this letter are answers to the six specific questions sited in the Federal Register notice.

Please direct any questions regarding these projects to the attention of Mr. Mack Peterson, environmental section head, the Chickasaw Nation Division of Housing and Tribal Development, at (580) 272-5400.

Thank you for your time and consideration in this matter

Sincerely,

Bill Anoatubby, Governor

The Chickasaw Nation



The Department of Energy has requested interested parties comment on this notice of revised proposed policy, including the specific questions identified below:

Question 1

- (a) Would \$200,000 be an appropriate amount for the assessment and planning grant to conduct an initial needs assessment?
- (b) Should the amount be the same for each eligible State and Tribe'?
- (c) Would there be a need to update the initial needs assessment and, if so, at what intervals and should funding be made available for this purposes in what amount? Yes, the assessment should be updated eval 3 year since records for most grants are kept for 3 years after the grant is closed. The allocation aims ung should be a mase of \$100,000 to update at assessment plan

Question 2

- (a) Would \$100,000 be an appropriate amount for the annual training grant?
- (b) Recognizing that, after cominencement of shipments through an eligible State or Tribe, training to maintain capability may become less costly with increased expertise and efficiency, should the base amount of subsequent annual training grants be adjusted downward to reflect the number of years that annual training grants have been received? Not the training of the training of
- (c) What should be allocation of available appropriated funds for a fiscal year between the base amount and the variable amount of the annual training grants? Based upon the Department of Fine gs 's allocation I is mula, the funds should be allocated to areas of extreme risk given the priority.
- (d) Should the entire training grant be variable based on the funding allocation formula described herein? No. a base of ** 10.000 will provide the needed training to a substantial amount of personnel.

Question 3

- (a) Should the amount of funding be adjusted where a route forms a bordei between two States, a State and a Tribal reservation, or two Tribal reservations'? Not funding should a man the same through the
- (b) Should State or Tribes with mutual aid responsibilities along a route outside their borders he eligible for 180(c) grants on the basis of the mutual aid agreement grant? Yes, they will remain impacted by a spill and should know how a sassist the problem
- (c) If so, how should the amount of funding be calculated and should the funding be calculation take into account whether or not the State or Tribe would otherwise be eligible for a grant'? I unding should be a dealared using the allocation to much of the newesternth a Country of Triba. responsibility.

Questiorz 3

- (a) Do assessments and planning grants need to be undertaken four years prior to an initial scheduled shipment through a State or Tribe's jurisdiction?
- (b) Do training grants need to commence three years prior to a scheduled shipment through a State or Tribe's jurisdiction?
- (c) Do training grants need to be provided every year that shipments are scheduled?

Question 5

- (a) Should the Section 180(c) grants be adjusted to account for fees levied by States or Tribes on the transportation of spent nuclear fuel or high-level radioactive waste through their jurisdiction? Yes they should be industed at the fees are used for the training of personnel.
- (b) How should DOE determine if a fee covers all or part of the cost of activities allowed under Section 180(c) grants? I produce the manufacture of the cost of activities application and a defailed budget statement understung that the tree...
- (c) Is the language in this policy, requiring States and Tribe.; to explain in their grant application how the fees and Section 180(c) grant awards are separate arid distinct. sufficient to prevent DOE from paying twice for the same activity? Yes

Ouestion 6

- (a) How should Section 180(c) grants be adjusted to reflect other funding or technical assistance from DOE or other Federal agencies fro training for safe routine transportation and emergency response procedures? Requiring the applicants to indicate other funding provided by agencies or DOE concerning the transportation of radioactive materials.
- (b) In particular, how should DOE account for FEPP other similar programs that provide funding and/or technical assistance related to transportation of radioactive materials? Differentiate between trainings in which DOE should only provide those trainings specified under 180(c).
- (c) To what extent is Section 180(c) funding necessary where funding and/or technical assistance are being or have been provided for other DOE shipping campaigns such as to DOE's Waste Isolation Pilot Plant! The grant proposal's purpting and newsty statement should indicate the specific train and that will be utilized for any additional training neces.