

WHITE PINE COUNTY NUCLEAR WASTE

PROJECT OFFICE

887 Campton Street
Ely, NV 89801
(702) 898-2033
FAX (702) 898-2514

March 7, 1995

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

Dear Ms. Smith:

The Board of White Pine County Commissioners is pleased to submit the following comments to DOE's Notice of Intent concerning safe transportation and emergency response training, dated January 6, 1995. White Pine County is one of ten counties which have been designated by the Secretary of Energy as "affected" pursuant to the Nuclear Waste Policy Act, as amended. The Department of Energy has identified a prospective corridor ("Cherry Creek Route") through the County within which a rail spur to the Yucca Mountain repository site could be constructed and operated. In addition, the State of Nevada has identified two highway routes through White Pine County as candidates for designation by Nevada's Governor for use in transporting highway route controlled quantities of high-level radioactive waste to the Yucca Mountain site.

Under the guidance of the White Pine County Citizen's Advisory Committee, the County has recently initiated efforts to identify and resolve issues which may serve to prevent effective emergency first response. Seventy-nine issues have been identified as requiring resolution. These issues have been prioritized and the most highly prioritized issues are currently being addressed. During the next five years, White Pine County hopes to have worked through the entire list of possible constraints to effective local emergency response.

White Pine County is a rural area characterized by several dispersed communities, the largest being the City of Ely. Fire protection and ambulance/emergency medical technician services are provided by volunteers. Because of distances and inconsistencies in equipment between state and local first responders, communications among emergency responders can be problematic. Because of the volunteer nature of emergency first responders in the County, maintaining adequate numbers of trained personnel can be a problem. The County's distance from the State

Page 2
Ms. Lois Smith
March 7, 1995

Capital (330 miles) and other metropolitan areas in the region, makes accessibility to training resources difficult. The County has been frustrated with a general inability to secure state provision of local training. Emergency personnel must often travel outside of the County to obtain training. Volunteers may be unable to take time-off from work to participate in such training. **Regardless of which structure DOE selects for implementation of Section 180(c), training must be made available in the communities where first responders reside.**

Initial work to resolve emergency response issues in the County has demonstrated the extent to which local first responders lack the necessary equipment to mount even the most minimum level of response capability to accidents involving spent nuclear fuel and other high-level radioactive wastes. The best trained responders will not be capable of providing effective emergency management unless they are properly equipped. **DOE's program for implementation of Section 180(c) must include provision of funding to enable acquisition of needed emergency response equipment.**

Among the various alternative programs outlined within the NOI, White Pine County would favor an OCRWM grant program. Such a program has been effectively utilized by the Department for allocation and disbursement of oversight monies provided to "affected units of local government" pursuant to the Nuclear Waste Policy Act, as amended. An important feature of the DOE's current oversight monies program is that funding is provided directly to local governments with no matching requirement. **To ensure that as much of available funds are ultimately used for training and equipping of first responders, DOE's program for implementation of Section 180(c) should provide for direct funding of local governments.**

Implementation of Section 180(c) should not include a requirement that grant recipients provide matching funding. Section 180(c) is intended to ensure that local first responders are adequately prepared to respond to accidents involving shipments of DOE-owned spent nuclear fuel and other high-level radioactive waste. Effective local first response can serve to help minimize risks associated with DOE's transportation campaign. In the event that matching funds are required, not all local jurisdictions needing to be adequately trained and equipped will be able to access Section 180(c) assistance. **To ensure that all local first responders needing to be properly trained and equipped have access to Section 180(c) financial assistance, there should be no requirement for matching funds.**

Passing funding through other federal or state agencies will result in less money being made available at the local level for badly needed training and equipping. State agencies could request separate training and equipment grants from DOE to cover costs of state level response. Perhaps

Page 3
Ms. Lois Smith
March 7, 1995

the worst scenario would see the funds passed through an agency such as FEMA to states then on to local governments. Each entity would necessarily extract a portion of the monies for administrative purposes. To ensure that the maximum amount of Section 180(c) money is used for direct training and equipping of local first responders, administrative costs associated with whichever program is selected by DOE should be kept at a minimum.

A review of other options outlined in DOE's NOI follows.

Use Established Federal Agency Programs Other Than The Department's


As noted above, passing Section 180(c) monies through one or more agency filters prior to its receipt by affected units of local government will restrict the extent to which needed training and equipping occurs. It is not likely that the Congress will be willing to provide additional Section 180(c) monies in the event that agency administrative costs impede upon needed training and equipping. Rather, total needs for training and equipment will not be met. Further, local governments are not convinced that agencies such as FEMA and perhaps even those at the state level are particularly aware of the needs of local governments. A cookie cutter, one program fits all approach to emergency response training may be followed. Such an approach may be insensitive to differences between the needs of urban and rural communities.

Establish Agreements With State, Local, Tribal, and Other Organizations

This proposal will undoubtedly be welcomed by such groups as the National Association of Counties, Fire Chiefs, etc. Such enthusiasm will likely be based upon the expectation that program administrative responsibilities will necessarily result in a portion of Section 180(c) monies being used for such costs. Experience would suggest that the objective of such groups when afforded the opportunity to administer a program such as Section 180(c) is to access funding to assist in underwriting other administrative costs of the organization. This outcome would not serve to aide in training and equipping local emergency first responders.

I trust you will find these comments helpful.

Sincerely,



Florindo Mariani
Coordinator

cc: Board of White Pine County Commissioners
White Pine County Citizen's Advisory Committee