



INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS

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March 27, 1995

U.S. Department of Energy
c/o Lois Smith
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Attn: Section 180(c) Comments

To Whom it May Concern:

Thank you for allowing the International Association of Fire Fighters to comment on the Department of Energy, Office of Civilian Radioactive Waste Management, Safe Transportation and Emergency Response Training: Technical Assistance and Funding.

The IAFF is an international labor union affiliated with the AFL-CIO and the Canadian Labor Congress. The IAFF is the sole employee representative for fire fighters and emergency medical technicians in the United States. We represent approximately 200,000 paid professional fire service employees in the United States and Canada. IAFF members are employed by the federal government, states, counties, municipalities, fire districts, airports and industrial manufacturers. The IAFF has been actively involved in providing training and educational programs to the fire service for over thirty years.

ISSUE:

The DOE intends to implement a program of technical assistance and funding to train emergency responders regarding the transportation of spent nuclear fuel and high-level radioactive waste. The DOE expects comment on policy and implementation procedures for Section 180(c) funds, which will be used to train emergency responders, without delineating what it intends to fund.

ASSUMPTION:

The goals of the funding and the analysis: (1) to maximize training and dollars spent without sacrificing the health and safety of emergency responders and the public and environment they are entrusted to protect; and, (2) to avoid overlapping and redundancy with other Federal programs.

RECOMMENDATION:

Based on the preliminary draft of the Options for Providing Technical Assistance and Funding Under Section 180(c) of the Nuclear Waste Policy Act, as amended, no funding decision can or should be made concerning how to fund until a determination is made as to what exactly the DOE intends to fund.

A decision on both methods to provide funding for training and "technical assistance" to the States and Indian Tribes cannot be made until the definitions for training and technical assistance are determined. By admission, the term technical assistance is not defined and is used to mean different things.

ANALYSIS:

The DOE is placing the cart before the horse by neglecting the emergency response plan. DOE first needs to have a plan - an emergency response plan - which details what will happen and who is responsible for such things as emergency response and clean-up activities. In the absence of an emergency response plan, determining funding for training is meaningless because the training audience and training program content is based on the roles and responsibilities of the emergency responder as defined in the emergency response plan. Hence, without the definition of the roles and responsibilities found in the emergency response plan, it is impossible to design an appropriate program to train these personnel, let alone determine the procedures to fund such programs.

The emergency response plan is the framework from which training requirements can be decided and met. Training, personal protective equipment, medical surveillance requirements, decontamination needs, evacuation procedures, and the role emergency responders are expected to perform must all be defined in the emergency response plan.

Regardless of the mode of transport or the location, it will be beneficial to have a plan in place which correlates with the SARA mandated SERC and LEPC plans. Ultimately, the driving force behind the decisions in the preplanning stage must be an analysis of how many civilians, in all scenarios including the worst-case scenario, will be affected in an emergency situation, while taking into account the response time of the lines of authority and communication, Hazardous Materials team, hospitals which are equipped to treat radiation victims and response time of clean-up contractors.

FISCAL:

There are many strategies, whose application will vary by location and mode of transport, which the DOE can employ when designing the emergency response plan and training. The most cost-effective is Operations level training, with additional training in radiation hazards, Incident Command, decontamination, appropriate personal protective equipment for all responders, and Specialist Level training for area-wide teams.

The database created by Battelle Memorial Institute on low-level radioactive waste regulations and legislation highlights the need for Federal transportation standards. State legislative activity regarding the transportation of radioactive materials has steadily declined since it peaked in 1991 after the Hazardous Materials Transportation Uniform Safety Act of 1990. Because the States have differing legislation we need to have uniformity for inter-state transportation and training needs. By delegating the majority of the decision making concerning training to the States, the DOE will be creating many smaller bureaucracies and an equal number of interpretations of implementation.

The push to use the Association of American Railroads (AAR) seems to be contradictory to the goal of avoiding redundancy with other Federal programs. The AAR does not have the experience training or working with municipal responders. Moreover, the railroads do not have a good history of reporting accidents and emergency situations to the local responders until the situation is out of control. In addition, the railroads record of clean-up (many railroad yards are on the EPA NPL) and pre-planning, as required under Federal Law, is equally dismal.

In order to avoid further costly changes there are many issues with the potential for strong fiscal impact which need to be reviewed and answers included as part of the pre-plan.
For example:

Secondary and tertiary routes need to be defined and the emergency responders and other required personnel need to be trained, prepared and equipped. This is not a minor concern. In the past few years many primary transportation routes have been permanently or temporarily taken out of use e.g. Mississippi River flooded, barge hit a major bridge, earthquakes and floods in California, hurricanes in Florida.

Roles of responsibility.

Who will be trained and to what level?

Who is defined as an emergency responder and who is not?

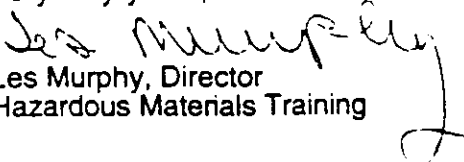
Financial responsibility for purchasing equipment and PPE?

Financial responsibility for replacing contaminated equipment and PPE?

Clear and concise National standards which leave no window open for interpretation.

The International Association of Fire Fighters has many more basic questions. These and other concerns need to be addressed and placed in a plan before policies and procedures for funding the aforementioned can be determined.

Very truly yours,


Les Murphy, Director
Hazardous Materials Training