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May 12, 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:

Thank you for the opportunity to comment on the issue of technical assistance and funding to states and Tribes under Section 180(c) of the Nuclear Waste Policy Act. The following comments are submitted on behalf of the Oregon Department of Energy. The Oregon Department of Energy has lead responsibility for the safe transport of radioactive waste through Oregon.

From the standpoint of Oregon's position on this matter, these comments should be considered as a supplement to comments provided by the High Level Radioactive Waste Committee of the Western Interstate Energy Board (WIEB). Oregon is an active member of that WIEB Committee. We are in full support of the comments submitted by WIEB on this issue. We would like to add additional comments on a few key issues.

- Funding must be provided well in advance of any large-scale shipments under the Nuclear Waste Policy Act. Therefore, we believe it is imperative that the U.S. Department of Energy (USDOE) accelerate the implementation of Section 180(c). Should litigation or legislation force shipments of commercial spent fuel to begin in 1998 or soon thereafter, there must be a mechanism in place to provide training and other assistance to the states, Tribes and local response organizations along the shipping routes.
- Funding must apply to all shipments to interim storage facilities or a repository, regardless of whether it is operated by USDOE or a private entity. The only reason that a private entity would be involved is because USDOE was unable to site a facility in a timely manner. That should not exempt shipments to a private facility from Section 180(c) funding.

John A. Kitzhaber
Governor



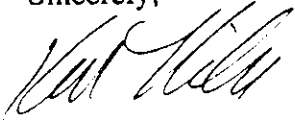
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- The states and Tribes must have some flexibility in how the funding is used and not be unduly limited in their use of these funds. We support WIEB's proposal of planning grants to each state and Tribe and annual implementation grants, and the establishment of Regional Training Advisory Teams to help provide guidance in use of the funds. We urge USDOE to consider the strawman 180(c) rules submitted by WIEB in August 1994 and again as part of their comments on this Notice of Inquiry.

While we appreciate this opportunity to provide our comments, we encourage USDOE to continue to seek participation of groups such as WIEB before final decisions are made on implementation of Section 180(c).

Sincerely,



Ken Niles
Oregon/Hanford Transport
Safety Analyst
Facility Regulation Division