

# Southern States Energy Board

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May 16, 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 Southern States Energy Board (SSEB) Advisory Committee on Radioactive Materials Transportation is pleased to submit the following comments in response to the U.S. Department of Energy's (DOE) Notice of Inquiry concerning the Office of Civilian Radioactive Waste Management (OCRWM) Safe Transportation and Emergency Response Training; Technical Assistance and Funding (60 FR 99; January 3, 1995).

The committee supports implementing the requirements of Section 180(c) of the Nuclear Waste Policy Act (NWPA), as amended, through a combination of an OCRWM grant program and established agreements with regional organizations. The OCRWM grant program would allow states and tribes to directly negotiate with DOE for safe transportation and emergency response training, technical assistance and funding. In addition, cooperative agreements with organizations such as SSEB should continue to receive funding to facilitate regional planning and coordination efforts relative to transportation issues. We believe that this approach will offer the greatest flexibility and be the easiest to administer. The committee does not support combining the Section 180(c) funding with other established federal agency programs. Although funding these activities through structures such as block grants would allow for simpler administration by states and tribes, this committee recognizes the need to separate Nuclear Waste Fund monies from other funding sources.

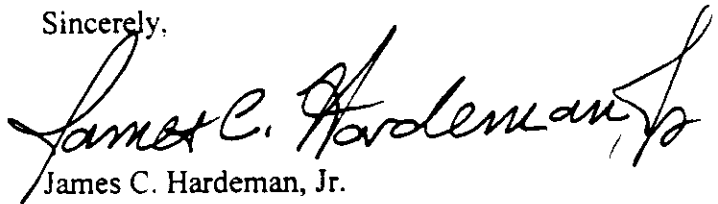
With regard to the criteria for determining eligibility, any state or tribe through whose jurisdiction NWPA shipments will traverse should be eligible to receive Section 180(c) funding. A minimum or base level of funding should be provided to each jurisdiction. In addition, a larger portion of the funding should be allocated to each eligible jurisdiction based on a formula that includes both the number of route miles in the jurisdiction and the population at risk along the shipment route(s), with consideration given to existing emergency response capabilities.



Section 180(c) funding should be provided to states and tribes at least three years prior to the scheduled start of NWPA shipments through their respective jurisdictions. This three year period allows for approximately one year of planning and 18-24 months for training implementation. States and tribes should have the flexibility to determine their own training and technical assistance needs within a basic standards framework. Finally, this OCRWM grant program should allow flexibility in expenditures for planning, training and equipment related to the NWPA transportation program.

Thank you for your consideration of our comments. We look forward to providing input on future Department of Energy programs and policies. If you have any questions, please contact me at (404) 362-2675 or Ms. Beth Fulmer of Southern States Energy Board at (404) 242-7712.

Sincerely,

A handwritten signature in black ink that reads "James C. Hardeman, Jr." with a stylized flourish at the end.

James C. Hardeman, Jr.  
Chairman, SSEB Advisory Committee on  
Radioactive Materials Transportation

JCH/eaf