



September 30, 1996

Ms. Corrine Macaluso  
U. S. Department of Energy  
c/o Lois Smith  
TRW Environmental Safety Systems, Inc.  
600 Maryland Avenue SW, Suite 695  
Washington, DC 20024

Fax: (202)488-2323

ATTN: Section 180(c) Comments

Dear Ms. Macaluso:

The State of Idaho offers the following comments on the Notice of Proposed Policy and Procedures for Safe Transportation and Emergency Response Training for Spent Nuclear Fuel [SNF] and High-Level Radioactive Waste [HLW] as published in 61 FR 24772 (comment period extended in 61 FR 41778).

The State of Idaho supports the "Comments of the High-Level Radioactive Waste Committee of the Western Interstate Energy Board [WIEB] on DOE's Notice of Proposed Policy and Procedures for Safe Transportation and Emergency Response Training for Spent Nuclear Fuel and High-Level Radioactive Waste," which were enclosed in a letter on September 12, 1996 to Daniel A. Dreyfus of DOE from Daniel Nix and Richard Moore, co-chairs of the WIEB High-Level Waste Committee.

WIEB comments are only summarized briefly here, since they have already been submitted in detail. WIEB comments are based on policies expressed in three resolutions of the Western Governors' Association, and include the following points:

1. It is the responsibility of the generators of SNF and HLW and the federal government to pay for all costs associated with assuring safe transportation. The notice provides only for funding an increment above current levels of preparedness, and therefore would constitute an unfunded mandate.
2. The funding should not, as proposed, be based on an arbitrary formula established by DOE, but on state- or tribe-specific assessment of needs. Restriction of funds for equipment and lack of funding for drills and exercises should be eliminated. Drills and exercises are an integral part of training.

Letter re: Section 180(c) Comments

September 30, 1996

Page 2

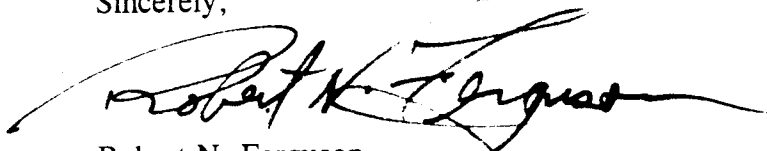
3. No shipments of SNF or HLW should be made to storage facilities or a repository until routes have been identified and funds and assistance made available in a timely fashion. A crash program to make up for federal government inaction and delays is not acceptable.
4. Section 180(c) of the Nuclear Waste Policy Act should apply to shipments to a monitored retrievable storage facility (operated by DOE or others) as well as to shipments to a repository.
5. DOE should adopt regulations to implement Section 180(c) to ensure that shipments will not be made without implementing 180(c) requirements.

In addition to supporting the comments submitted by WIEB (summarized above), the State of Idaho also offers the following comment, which may or may not be consistent with positions taken by WIEB in the past:

The State of Idaho believes that a grant program administered solely by OCRWM and specific to SNF and HLW shipments perpetuates the undesirable past practice of providing emergency preparedness training, planning, and development solely on a shipping-campaign-specific basis. Adequate response to incidents involving different materials (e.g., foreign research reactor SNF, Naval SNF, transuranic waste, etc. as well as to SNF and HLW under OCRWM's management) involves many common elements. In addition, shipment of different materials during the same general time frame places a significant burden on the resources of sparsely populated areas, such as most of Idaho. Therefore, appropriate levels of preparedness should be based on a comprehensive understanding of potential multiple shipping campaigns. This level of understanding does not likely exist within OCRWM alone. The difficulty of combining programs with different funding sources is recognized, but the benefit of coordinating training and planning efforts is worth the additional difficulty of developing a method for allocation of funding.

Thank you for the opportunity to submit these comments and for your consideration.

Sincerely,



Robert N. Ferguson  
Coordinator/Administrator

JLD:RNF:jld/dc