

Then, implementation grants could be provided to carry out the identified activities.

Another general theme urged the Department to take into account the low level of risk presented by spent nuclear fuel and high-level radioactive waste shipments and proportion the assistance and training accordingly. They maintained that current hazardous materials transportation training for safe routine and emergency response procedures is sufficient to handle any situation that may occur. Creating a Section 180(c) program that went beyond the current hazardous materials transportation training would send a message that the NWSA shipments are more hazardous than they really are.

Separate from the issue over the basis for distributing assistance, several commenters recommended using the State Emergency Planning Committees and the Local Emergency Planning Committees as points of contact to decide who should receive assistance and to determine the needed level of training.

Other frequently occurring comments urged the Department not to ship or to limit the number of shipments until a Section 180(c) program is in place. This comment was often made in conjunction with the comment that the Department has an obligation to accept waste in 1998, and if Congress identifies a storage facility, shipping may well begin in 1998 or shortly thereafter. In addition, these commenters urged the Department to accelerate Section 180(c) implementation and to ask for a Section 180(c) budget allocation in the 1996 budget request to Congress.

Several commenters encouraged the Department to quickly announce potential routes. They argued that jurisdictions need to know as soon as possible what routes will be used so that they may begin planning immediately for shipments and be prepared if shipping occurs prior to the year 2010 currently targeted by the Department.

Safe Routine Transportation

Several definitions of safe routine transportation were offered. These often included activities commenters thought should be included in training for safe routine transportation. One commenter endorsed the Transportation External Coordination Working Group definition while two commenters wrote more expansive definitions to include combinations of: alternate route analysis, inspection and enforcement training, en route contingency plans, transportation infrastructure improvements, shipment notification and tracking, escorts, public

information, and development and distribution of training curricula and course materials.

Not all comments referred to safe routine transportation directly, but identified the need for escorts and a satellite tracking system. The Conference of Radiation Control Program Directors questioned the need for escorts as an expensive option considering the actual level of risk compared to other hazardous material shipments. The National Conference of State Legislatures called for the Department to examine the possibility of response teams travelling with the shipments. The tracking system was encouraged as a way to build trust in the safety of the shipments and work more closely with the corridor jurisdictions.

Emergency Response Procedures

Several commenters offered either definitions of emergency response procedures or offered activities that they thought should be covered by training for emergency response procedures. Frequently, the Department was asked to delineate the responsibilities of each response level in case of a spent nuclear fuel transportation incident or accident. Only then would the best funding mechanism be identified.

It was frequently commented that emergency response training for local public safety officials should be integrated into existing hazardous materials training. A couple of comments pointed out that current hazardous materials training was sufficient for local responders because the response requirements for radiological incidents fall within the requirements for other hazardous materials shipments.

Contradictory comments were received concerning training for hospital personnel. One commenter argued that training for hospital personnel was not necessary, while others comments ranged from the need to provide simple awareness training to specialized decontamination equipment and training.

Eligibility Criteria

Comments on eligibility criteria focused on which jurisdictional level should be eligible to apply for funds. Some argued that local governments should be eligible to receive funds directly. They argued that this would reduce administrative costs and give local governments more control over the assistance. Several counties simply requested that they be guaranteed an amount of funding and given some discretion in using the assistance. Other commenters said only States and tribal

agencies are eligible to apply for assistance.

Some commenters made suggestions regarding how the timing of NWSA shipments through a jurisdiction impacts eligibility. The Western Interstate Energy Board defined an eligible state or tribe as host and corridor states or tribes through which shipments under the NWSA are planned within six years. Others said training should begin one to three years prior to shipment.

The point was also raised that tribes near corridor jurisdictions should be eligible for assistance, since their lands and people would be at risk in case of a transportation accident or incident.

Funding Allocation Formula

Once eligibility criteria are determined, the total assistance available will have to be allocated among the eligible parties. Commenters were fairly specific in their views of how funds should be allocated. A frequent comment was that funds should be allocated according to the shipment miles through a jurisdiction. The Western Interstate Energy Board commented that annual implementation grants should have 75% of the funds allocated according to shipment miles and 25% allocated to ensure minimum funding levels and program capabilities. They defined shipment miles as the product of the expected number of shipments multiplied by the distance of such shipments. The Nuclear Energy Institute countered that the number of shipment miles through a jurisdiction does not automatically make a jurisdiction more impacted and therefore does not qualify them for additional assistance. They requested that the Department allocate funding to incrementally increase preparedness above what exists, rather than build a new radiological response capability.

The Southern States Energy Board suggested that funding should be allocated to each eligible jurisdiction based on a formula that includes both the number of routes miles in the jurisdiction and the population at risk along the shipment route(s), with consideration given to existing capabilities.

The HMTA Training and Planning Grants approach (discussed on pages 8 and 9 of this notice) to allocating funds was also suggested as a model.

Allowable Use of Funds

The Notice asked stakeholders what types of activities should be allowed once funding has been allocated. This discussion often overlaps with the discussion of program scope and the