

This document is intended to provide guidance to states in developing security plans for radioactive materials shipments. The final form of such plans will vary widely from state to state and may consist of an appendix to the security annex of an Emergency Operations Plan, an attachment to a Terrorism Plan, or part of a stand-alone Radioactive Materials Plan. For purposes of this guidance, the parent document to this Appendix will be referred to as “the Base Plan”. Examples provided below are not intended to be state specific.

APPENDIX __ SECURITY FOR RADIOACTIVE MATERIALS SHIPMENTS

1. PURPOSE (States in broad terms what this Appendix to the Base Plan is meant to do.)

EXAMPLE:

- Appendix __ to the Base Plan describes the basic strategies, procedures, and responsibilities that will guide and assist state and local agencies and departments in addressing security concerns surrounding shipments of radioactive materials within or through the State of (name). These concerns could involve general security considerations, changes in national threat levels, reactions to specific, credible threats, or responses to actual incidents. The threats that are applicable to a radioactive materials shipment could include sabotage or theft and diversion of the shipment.
- Appendix __ further describes how state and local agencies and departments will coordinate their response to the threat with federal agencies and other states.

2. DEFINITIONS (Defines relevant terms referred to in Appendix, which are otherwise not defined in the Base Plan.)

EXAMPLE:

- The term “radioactive materials” means for purposes of transportation, any material having a specific activity greater than 70 Bq/g or two nanocuries.
- The term “safe parking” means the location or locations designated as safe for radioactive materials shipments when abnormal conditions exist, such as bad weather. Safe parking may or may not be the same as “secure parking.” See [reference] for designated safe parking locations.
- The term “secure parking” means the location where a radioactive materials shipment can be properly guarded against general or specific threats. A “secure parking” location may have been previously designated or identified situationally, and may or may not be the same as “safe parking.”

3. POLICY STATEMENTS (Provides any general policy statements.)

EXAMPLE:

- Shipments of radioactive materials are the responsibility of the U.S. Department of Energy (DOE). However, state and local agencies retain primary responsibility for public safety and security within their jurisdictions and usually provide the first level of response and support in any security situation.
- State and local responders will retain incident command responsibility of any security related incidents involving radioactive materials, unless and until DOE or other federal agency, in coordination with the incident commander, determines that the federal agency's personnel should assume responsibility.
- When a radioactive materials shipment reaches a secure parking location, DOE may assume responsibility for security of the shipment.

4. CONCEPT OF OPERATIONS (Explains the overall approach to the response, i.e. what, when, and by whom. In general, the Concept of Operations should avoid creating new procedures. Instead, the Concept of Operations should reference procedures already established in the Base Plan and address any special considerations for applying those procedures to radioactive materials shipments.)

EXAMPLE:

- Responsibility for threats of a general nature due to elevated national threat level.
 - (I) When the national threat level has been elevated to RED, DOE is responsible for notifying the state where the shipment is located and advising affected states of protective actions taken or to be taken. DOE will follow procedures described in the DOE Security Condition Response Plan for Environmental Management. Protective actions may include: stopping outbound shipments; locating all en route shipments; and tracking shipments to their destination or designated safe parking. Before shipments resume, DOE will consult with affected states.
 - (II) When the national threat level has been changed to ORANGE, shipments will not be halted, but the other protective actions described above may be taken depending on the information DOE has received. DOE will notify states of the protective actions taken and will share information with states, as appropriate.
- Responsibility for specific, credible threats.
 - (I) DOE has primary responsibility for coordinating with the states the appropriate protective actions that will be taken when a specific, threat against a route or routes for shipments of radioactive materials shipments, site, or shipment. DOE will

follow procedures described in the DOE Security Condition Response Plan for Environmental Management, including how information is shared and coordinated with the states.

(II) Protective actions may include: diverting shipments en route to safe or secure parking or delaying or canceling shipments not yet on the road.

- Responsibility for security related incidents.

(I) Overall Approach. The incident command system will be used for all security related incidents involving radioactive materials shipments. The incident commander will follow established procedures of the (responsible political subdivision (e.g., state police)) as described in (identify plan/procedure), including procedures for notifying the governor, DOE, and federal law enforcement agencies, such as the Federal Bureau of Investigation (FBI).

(II) State and Federal Responsibility. Response actions will be based on an assessment of the nature and credibility of the threat (e.g., related to elevated national threat level or to a specific shipment; while the shipment is traveling on the state's highway, or at the scene of an accident or incident).

(III) Initial Response Actions for shipments involved in an accident or incident, which causes the truck to stop. First responders have a responsibility to establish on-scene command, formulate an assessment of the situation (particularly an assessment of whether there is any information that a suspected or actual security threat to the radioactive materials shipment has occurred or is likely to occur), set up a command post, and request necessary responding personnel (federal, state and local).

5. RESPONSIBILITIES (Explains specific duties of local and state officials in accordance with relevant state and local laws and regulations.)

EXAMPLE:

- In accordance with the State Hazardous Materials Act, the senior State Police officer on the scene will be the Incident Commander. For large or complex incidents, a Unified Command structure will be used in accordance with the National Response Plan.

6. NOTIFICATION PROCEDURES (Identifies all state and federal officials (e.g., DOE and FBI) to be notified and describes the specific procedures to be followed.)

EXAMPLE:

- The Incident Commander is responsible for ensuring the following state organizations are notified of a security related incident, including: State Emergency Operations Center; State Police Regional Dispatch Center; and State Radiation Control Authority;
- The Incident Commander is responsible for ensuring the following Federal organizations are notified of a security related incident, including: DOE and FBI.
- The Incident Commander is responsible for ensuring all affected city, county and tribal organizations are notified.

7. AUTHORITIES AND REFERENCES (Lists the legal bases for emergency operations and activities and should include laws, statutes, ordinances, executive orders, regulations, formal agreements, threat assessments that the state may have conducted, and pre-delegation of emergency authorities. Pertinent reference material should also be included such as related plans of other levels of government.)

EXAMPLE:

- Federal.
 National Response Plan (December 2004)
 National Incident Management System (March 1, 2004)
 DOE Security Condition Response Plan for Environmental Management (limited distribution and only in accordance with DOE M471.3-1, Chapter 1);
 DOE Radioactive Material Transportation Practices Manual; and
 Waste Isolation Land Withdrawal Act (P.L. 102-579, as amended by P.L. 104-201).
- State.
 (Varies by state)
- Other.
 Western Governors' Association WIPP Transportation Safety Program Implementation Guide, December 2003.