

## Western States comments on the 2/23/07 Outline of OCRWM's National Transportation Plan

General: We appreciate OCRWM giving us the opportunity to comment on this outline of the National Transportation Plan. As you know, the Western Governors have for years recommended that OCRWM prepare “a comprehensive transportation plan that includes the analysis of all needed transport-safety activities in a single document.”<sup>1</sup> This outline appears to represent an important step toward achieving that goal.

Reviewing the outline required some assumptions on our part about how thoroughly specific topics would be covered. In some cases, rather than rely on our assumptions, we have made specific suggestions. Some of these suggestions may seem somewhat self-evident, but we felt at this early stage it was better to err on the side of inclusion.

### I. Executive Summary:

A. Mission: It should be clearly stated up front that this plan is for shipments of spent nuclear fuel and high-level waste under the Nuclear Waste Policy Act. The specific transportation requirements of the NWPA should be mentioned, here and/or in the Introduction.

B. Strategy: While we agree that public confidence is an important goal, the plan should also state the importance of developing a transportation plan that helps ensure the safety and security of spent fuel shipments.

### III. Introduction:

A. Purpose of Document: See our comments under Section I above. Also, it seems that one of the purposes stated should be to document the manner by which the U.S. Department of Energy will transport spent nuclear fuel and high-level waste under the Nuclear Waste Policy Act. (Rather than just documenting how the system developed.)

B. Background: The plan should describe not only how the system will be developed and deployed, but also how it will be evaluated to reflect experience and lessons learned once the program is underway. The plan should discuss the role of stakeholders and how OCRWM will work with them to address stakeholder issues (e.g., through the SRGs and TEC).

Also in this section, prior DOE shipping campaigns (e.g., WIPP, FRR, cesium shipments, et. al.) should be discussed. The plan should address how DOE identified routes, worked with stakeholders, provided for emergency response preparations, and how issues were addressed and transportation plans were developed. OLM's Benchmarking study (mentioned in IV.I) would tie into this discussion, and might even warrant inclusion as an Appendix.

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<sup>1</sup> WGA Policy Resolution 05-15 *Transportation of Spent Nuclear Fuel and High-Level Radioactive Waste*.

#### IV. Situation Assessment:

General: This should include a section on Routing, to include a detailed discussion of OCRWM's "suite of routes" decision. This would set the stage for the Route Selection discussion under Section V.D. Discussion of the Global Nuclear Energy Partnership and its potential impacts on the Yucca Mountain program is also needed.

A. Assumptions: There are many more assumptions that should be listed here, such as: assumptions about the completion of the repository; completion of the Nevada rail corridor; the processing capacity of the repository; resolution of litigation; use of a "suite of routes;" assumptions about the existence or lack of centralized interim storage; impacts of the Global Nuclear Partnership; and the development of a second repository or lifting of the 70,000 MTU cap. While some of these assumptions may seem a bit obvious, we feel it is important to distinguish between "what we know" and "what we believe." Presumably, this section would be amended frequently as decisions are made and events pass from assumptions to "knowns."

E. Transport Mode: The Mostly Rail segment should include discussion of dedicated trains as the "usual" mode, with discussion of when general freight service might or might not be used. This section should also include a detailed discussion of the requirements for intermodal operations.

F. Package Selection: Damaged Fuel should be included as a category. Also, as you know the HLW Committee has long recommended that DOE require full scale regulatory testing as part of its cask acquisition process; the Committee reiterates that recommendation for the National Transportation Plan.

G. Standard Contracts: This section may need to be considerably more detailed than this outline would seem to indicate. Unless DOE is able to gain some concessions from the utilities (another assumption), the standard contracts will dictate far more than just the order of the queue. This section needs to address how OCRWM will deal with the inefficient scheduling the queue will necessitate, to include repeated ramping up and down of emergency response preparations along routes or portions of routes. The extent to which utilities can trade their places in the queue with other utilities, and how emergency response planning and route preparation will be coordinated with these changes needs to be addressed. The utilities' desire to ship hottest fuel first should also be discussed in the context of recommendations from WIEB, the NAS, and many others to ship older/oldest fuel first.

#### V. Transportation System Development:

A. Major System Assets: Some mention should be made of how OCRWM plans to exchange technical information with the railroads, trucking industry, and barges regarding equipment and infrastructure design and transportation system operations.

C. Emergency Preparedness: The plan should address the NWTRB's concerns that the 180c program "appears to be based too much on funding formulas and not enough on the underlying objective of ensuring that adequate emergency-response capability exists along selected routes." How will OCRWM define what constitutes a minimum level of emergency response along each shipment corridor for each transport mode and how will OCRWM verify that such capability exists before shipments begin on that corridor?

D. Route Identification: This section should describe how OCRWM intends to develop criteria that reflect security and safety concerns, and how states and tribes will be involved in that process. It should also describe how OCRWM will ensure adequate emergency response capability along multiple alternate routes ("suite of routes") given likely resource constraints.

E. Key Interfaces and Activities: Interface with the utilities should be included here. The plan should address how OCRWM will work with the utilities on technical issues such as the amount and types of fuel, schedule, availability of at-reactor equipment and infrastructure for loading, repackaging fuel if needed, and transferring to rail, truck or barge.

## VI. Operations:

B. Logistics Management: Quality Assurance of loading and other activities at the utility sites needs to be covered.

C. Security Planning: The plan should discuss how OCRWM will develop realistic planning scenarios, and how they will develop effective emergency response, preventive measures, and mitigation in planning for a potential terrorist attack or sabotage. The plan should also address:

- How states and tribes will be involved in (or at least informed of) security planning;
- How NRC's cask studies and risk assessments will be incorporated into DOE's security planning;
- What the major components of security planning will be, e.g., personnel screening, protected schedules, identifying safe havens, notification, escorts, tracking, emergency preparedness; and
- How experience with foreign spent fuel shipments will be incorporated into OCRWM shipment security planning.

D. Risk Management: Wherever possible, the plan should incorporate an all-hazards approach that considers high consequence accidents as well as acts of terrorism and sabotage.

## VII. Organization:

B. Roles and Responsibilities: The role of local governments need to be covered.

VIII. Outstanding Issues and Resolution Process: This section should include issues that stakeholders feel are unresolved, not just those OCRWM considers unresolved.