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May 8, 2006

Mr. Timothy A. Frazier
NEPA Document Manager
Office of Nuclear Energy
Science and Technology
U.S. Department of Energy
1000 Independence Avenue, SW.
Washington, DC 20585-0119

Re: The U.S. Department of Energy's (DOE) Advance Notice of Intent to Prepare an Environmental Impact Statement (EIS) for the Global Nuclear Energy Partnership (GNEP) Technology Demonstration Program

Dear Mr. Frazier:

We are writing on behalf of the Western Interstate Energy Board (WIEB) High-Level Radioactive Waste Committee regarding the U.S. Department of Energy's (DOE) "Advance Notice of Intent to Prepare an Environmental Impact Statement for the Global Nuclear Energy Partnership (GNEP) Technology Demonstration Program" announced in the Federal Register Notice, March 22, 2006.

The proposed GNEP program likely will have major transportation impacts resulting from both domestic and international shipments of radioactive materials. Over the past 20 years, the WIEB High-Level Radioactive Waste Committee has provided feedback to DOE on its efforts to plan for the transportation of spent nuclear fuel and high-level nuclear waste under the Nuclear Waste Policy Act. We have provided comments throughout this period on the need for comprehensive transportation planning and have commented on numerous DOE spent fuel/high-level waste transport policies and proposals. The GNEP Technology Demonstration Program represents a significant departure from the current federal waste disposal program. It is essential that the transportation implications of this proposal be fully evaluated.

We urge DOE to include in its NEPA analyses of the GNEP Technology Demonstration Program an evaluation of the potential transportation impacts from this program, including a comparison with the current federal waste disposal program (once-through fuel cycle with no reprocessing) as set out in the Nuclear Waste Policy Act. This

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transportation impact analysis should thoroughly evaluate the risks associated with the transport of radioactive materials to and from the planned reprocessing facilities, to include both domestic and international shipments. This analysis should include an evaluation of the health and safety risks for normal transport, accident conditions and security risks (sabotage, attacks and theft while in transport) from these shipments, as well as the impacts from the projected increase in number of shipments over existing plans.

As the recent National Academy of Sciences' study on spent fuel transport stated, "malevolent acts against spent fuel and high-level waste shipments are a major technical and societal concern." The NAS study recommended that an "independent examination be carried out of the security of spent fuel and high-level waste transport prior to the commencement of large-quantity shipments to a federal repository or to interim storage." Similarly, we are requesting that the NEPA analysis for the GNEP Technology Demonstration Program include a comprehensive security analyses. This analysis should include an examination of the threat environment, the response of packages to credible malevolent acts, and operational security requirements necessary for protecting radioactive materials shipments planned in this program.

Predictions about the safety and impacts from the transport of spent fuel and high-level waste in the United States, as well as the transportation of radioactive materials to and from reprocessing facilities in the GNEP Program, are based upon an assumption of strict adherence to current transport safety regulations. The recent NAS study noted that continued vigilance by all parties involved in these transportation programs will be required to ensure that transportation operations in the United States are conducted in a safe manner, particularly as the number of shipments increase. The proposed action and alternatives used in DOE's NEPA analysis should describe how the GNEP Program will ensure strict adherence to transportation, packaging and safety regulations."

In addition, the NAS study noted that recent published work suggests that there may be a very small number of extreme accident conditions involving very long duration fires that could compromise package containment for spent fuel shipments. The NAS study recommended that additional analyses of very-long duration fire scenarios that bound expected real-world accident conditions be evaluated. We urge DOE to include in its NEPA analysis of the proposed GNEP program an evaluation of the health and safety risks from GNEP shipments involved in such long duration fires.

In summary, we request that the GNEP NEPA analysis include:

1. Spent Nuclear Fuel Characteristics and Number of Shipments: The analysis should include the estimated amount of spent nuclear fuel by fuel type; the sources and general characteristics of the nuclear fuels and spent fuel; a description of the expected representative and bounding radionuclide inventories, the mode and number of spent fuel shipments, spent fuel shipment packages, shipment origin and destination points, and the expected or representative routes.

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2. Reprocessing Fuels and Reprocessing Byproducts Characteristics and Number of Shipments: The analysis should include the estimated amount and radiological characteristics of materials from reprocessing, including a description of the expected representative and bounding radionuclide inventories, mode and number of shipments, shipment package types, and shipment origin and destination point, and the expected or representative routes. The analysis should include all transportation impacts that may be associated with the treatment, storage, disposal and reuse of hazardous and radioactive products and wastes generated by GNEP activities, including fuel recycling and separations.

3. Land, Marine and Ground Intersite Transport: The analysis should include the number and characteristics of domestic and international shipments, to and from the U.S., and a comparative analysis of the various ports of entry that may be used for international shipments.

4. Transportation Impacts Resulting from Normal Transport, Accident Conditions, and Malevolent Acts: The impact analysis should consider the full range of cask types likely to be used, including rail casks with and without welded containers, and legal-weight truck casks shipped by rail with and without ISO containers. The analysis of accident conditions should include long duration, high-temperature fires combined with various degrees of crash damage to the shipping cask and its impact limiters. The analysis of malevolent acts should address terrorism, sabotage, and theft.

5. Comparisons of the Transportation Impacts from the Proposed GNEP Program with the current Federal waste disposal program (once through fuel cycle with no reprocessing). The analysis should directly compare the transportation impacts of the proposed GNEP with the transportation impacts of the proposed action (70,000 MTU disposal) and expanded disposal scenarios presented in the Department's Final EIS for a Geologic Repository at Yucca Mountain (DOE/EIS-0250, February 2002)). The analysis should include a detailed analysis of transportation costs.

6. Shipment Scaling Plans, Including the Overall Size of the Transportation Program Over Time.

7. Regulatory Oversight for Package Fabrication, Quality Assurance, and Maintenance and Transportation Operations Safety.

We expect the proposed action and alternatives to describe how the Nuclear Regulatory Commission (NRC) will license and regulate GNEP facilities to ensure safety and foster public confidence. We also expect radioactive materials transported between GNEP facilities and to and from other fabrication, treatment, storage and disposal facilities to be shipped in NRC-certified containers and comply with applicable NRC and US Department of Transportation (DOT) regulations. The GNEP Technology Demonstration Program Notice of Intent should explain its relationship to any other

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NEPA analyses that may be required by NRC licensing actions and the cooperating agencies that will be involved in the preparation and review of the EIS.

Sincerely,



Joe Strolin
Committee Co-Chair



Barbara Byron
Committee Co-Chair