



**NEW MEXICO ENERGY, MINERALS  
& NATURAL RESOURCES DEPARTMENT**

*3/2/97*  
**OFFICE OF THE SECRETARY**  
2049 South Pacheco Street  
Santa Fe, New Mexico 87505  
(505) 827-5950

Jennifer A. Salisbury  
CABINET SECRETARY

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*To Bonita*

February 28, 1997

**MEMORANDUM**

To: New Mexico Radioactive Waste Consultation Task Force  
John Chavez, Cabinet Secretary, N.M. Taxation and Revenue Department  
Mark Weidler, Cabinet Secretary, N.M. Environment Department  
Alex Valdez, Cabinet Secretary, N.M. Department of Health  
Pete Rahn, Cabinet Secretary, N.M. State Highway & Transportation Department  
Darren White, Cabinet Secretary, N.M. Department of Public Safety

From: Jennifer A. Salisbury *JAS*

Re: WIPP Public Awareness Activities -- 1996

I am please to send you the attached report on the State of New Mexico's WIPP Public Awareness Activities for 1996. This document summarizes the outreach undertaken by our staff on the New Mexico WIPP Working Group during the past year. It also includes copies of the information distributed to the public, city councils and county commissions along the initial WIPP route. The Working Group will continue to reach out to New Mexico's citizens throughout the coming year. This year's efforts will be critical given WIPP's scheduled opening date of November 1997.

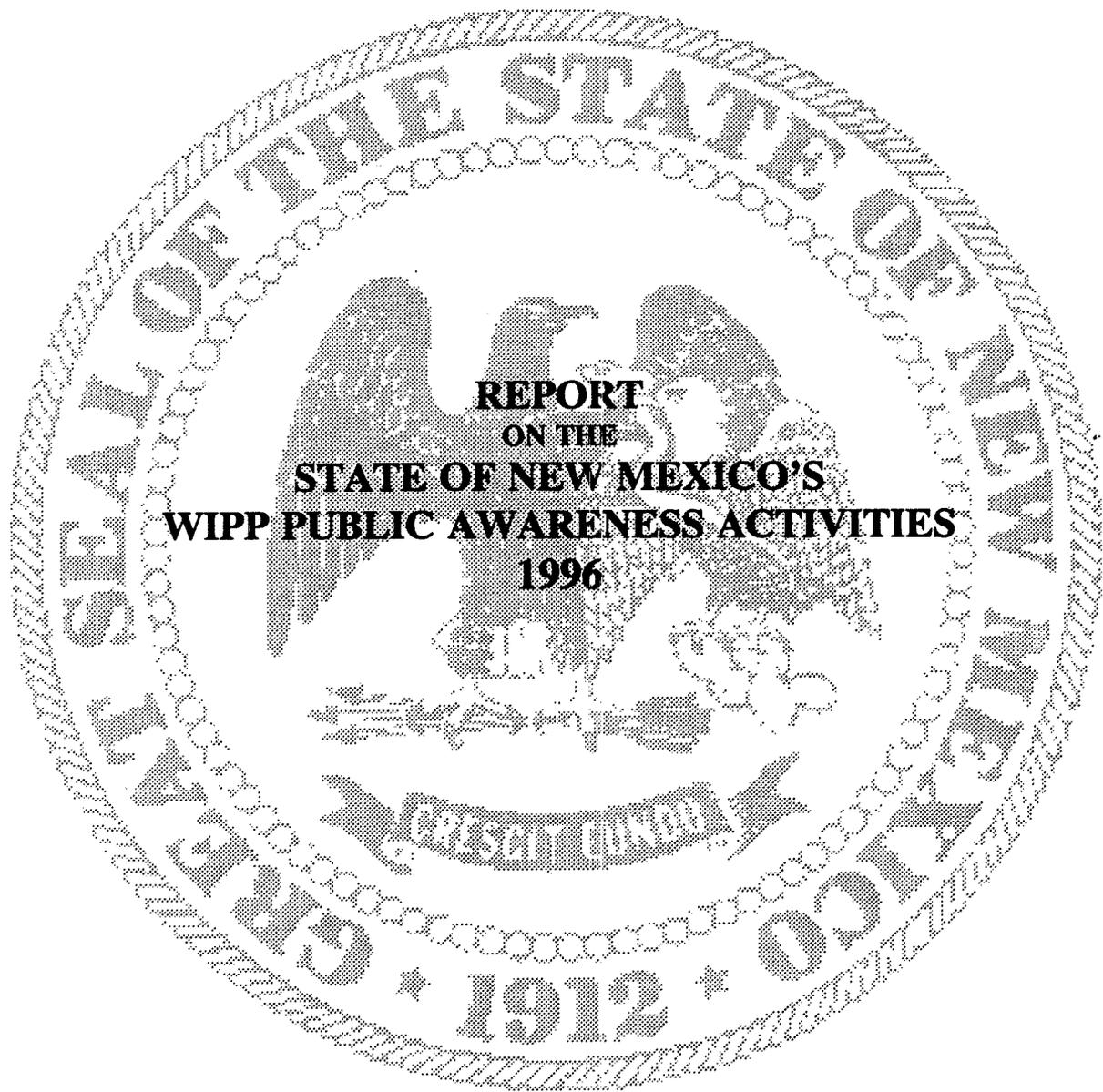
I also want to take this opportunity to alert you to the state's new WIPP Transportation Safety Program site on the Internet. You can access this site at:

<http://www.emnrd.state.nm.us/wipp/>

If you have any comments or questions or would like additional copies of the report, please contact Heidi Snow or Chris Wentz, the Task Force staff from EMNRD, at 827-5950.

Attachment

cc: Lou Gallegos/Kelly Ward, Office of the Governor  
Dan Hill, Office of the Governor  
New Mexico WIPP Working Group  
Bill Brubaker, TRD  
Ralph Davis, DOH  
Bobby Lopez, NMED  
John Shea, DPS  
Chris Wentz/Heidi Snow, EMNRD



**REPORT  
ON THE  
STATE OF NEW MEXICO'S  
WIPP PUBLIC AWARENESS ACTIVITIES  
1996**

Prepared by

**NEW MEXICO RADIOACTIVE WASTE CONSULTATION TASK FORCE  
2040 South Pacheco  
Santa Fe, NM 87505**

# Table of Contents

<b>Report on the State of New Mexico's WIPP Public Awareness Activities – 1996</b> .....	<b>1</b>
<b>Summary of Public Awareness &amp; Public Outreach Events – 1996</b> .....	<b>3</b>
<b>Map: Locations of WIPP Public Awareness and Outreach Events in New Mexico – 1996</b> .....	<b>7</b>
<b>Appendices: Public Awareness Handouts</b>	
<b>State of New Mexico is Committed to WIPP Transport Safety</b> .....	<b>A</b>
Summary of Transportation Safety Program	
<b>ALERT Training Fact Sheet</b> .....	<b>B</b>
Text explaining training program and list of training courses and exercises	
<b>Estimated Number of WIPP Shipments</b> .....	<b>C</b>
Tables with average shipments per week, first shipping date and number of shipments by generator site	
<b>WIPP Highway Shipment Routes in New Mexico and the United States</b> .....	<b>D</b>
Map of proposed transportation routes in U.S.	
Map of WIPP Shipment Routes designated by State of New Mexico	
New Mexico Register, Vol. II, Number 16; August 31, 1991, pages 22-23	
(SHTD Rule 91-3: Designation of Routes)	
<b>Taxation and Revenue Department Summary of MTD Program</b> .....	<b>E</b>
Motor Transportation Division Mission	
<b>WIPP Safe Transport Program: State of New Mexico Contact List</b> .....	<b>F</b>
WIPP Work Group members	
<b>NM Radioactive Waste Consultation Task Force</b> .....	<b>G</b>
Member list and summary of task force duties	
<b>Federal WIPP Legislation: Status and Overview</b> .....	<b>H</b>
Chronology of Congressional action	
<b>Public Law 102-579: WIPP Land Withdrawal Act, as amended</b> .....	<b>I</b>
<b>WIPP Disposal Decision Plan</b> .....	<b>J</b>
DOE document	
<b>WGA WIPP Transportation Safety Program Implementation Guide</b> .....	<b>K</b>
Western Governors' Association publication	
<b>Public Information Materials relevant to the WIPP Project</b> .....	<b>L</b>
Listing of additional WIPP-related informational materials	
<b>Sample Presentation on N.M. WIPP Transportation Safety Program</b> .....	<b>M</b>

# **REPORT ON THE STATE OF NEW MEXICO'S WIPP PUBLIC AWARENESS ACTIVITIES 1996**

**Background.** In light of the significant amount of information being generated on WIPP and the involvement of so many project participants, it is difficult to keep abreast of all activities, public hearings/meetings, and actions taken by stakeholders, regulatory agencies and other interested parties. Moreover, the State believes some citizens' questions are not being answered properly, are being misdirected, or are not getting asked. Hence, there is a real need to keep up-to-date and compile relevant, accurate information on key WIPP issues, subsequently presenting it in a form which is readily understandable to the general public. There is also a pressing need to reach out to New Mexico citizens--especially those in communities on the WIPP routes--and discuss with them face-to-face issues of concern surrounding the project.

New Mexico has been very proactive and innovative in its approach to WIPP public information and outreach. Since the inception of the WIPP project, the State has hosted or participated in public meetings on WIPP issues and activities; held press conferences and issued news releases for WIPPTRAX emergency response exercises; made numerous presentations to various forums on the WIPP transportation safety program; and sponsored other outreach activities for constituencies affected by radioactive materials transport. Recently, the State of New Mexico established an Internet site on the World Wide Web focusing on its WIPP Transportation Safety Program ([www.emnrd.state.nm.us/wipp/](http://www.emnrd.state.nm.us/wipp/)).

Throughout years of involvement with WIPP, State of New Mexico personnel have developed WIPP-specific fact sheets and brochures concerning safe transport of WIPP materials through New Mexico; established open lines of communication with issue groups representing various New Mexico "publics" bearing concerns about WIPP transport activities; notified the public about preferred WIPP transportation routes prior to designation in August 1991 by the New Mexico Highway Commission; and maintained an ongoing dialogue with DOE's Carlsbad Area Office to review/monitor the scope, quality and impact of its public information activities in New Mexico. In conjunction with table-top and field exercises, program staff meet with community leaders to discuss the planned drills; they also encourage citizens in the host community and surrounding region to participate as observers.

**Summary of 1996 Public Awareness and Outreach Events.** Beginning in January of 1996, the State renewed its effort to reach out to the public through a series of "open house" public awareness events which focused on the initial WIPP transportation corridor in New Mexico. The State organized these events at fire departments, city halls and other public facilities in 15 communities. At each event WIPP Working Group members were present to answer questions

and provide transportation safety informational materials on the designated routes to be used, available training, and accident prevention and emergency response preparedness protocols (see Appendices). In most cases, the WIPP TRUPACT transporter and two drivers from the transportation carrier (CAST) were on hand. In addition, DOE and/or Westinghouse officials were also present at these events. Other groups, such as Concerned Citizens for Nuclear Safety (CCNS) and Citizens for Alternatives to Radioactive Dumping (CARD), were informed about the program and invited to provide materials for the State to distribute, or to attend the events and distribute information themselves. Only on a couple of occasions did activists attend.

About midway through the year, the State devised and purchased an exhibit that was displayed at each of the subsequent events. The exhibit includes graphics of the national and state WIPP routes; a cut-away of a TRUPACT-II; a depiction of how TRANSCOM works; text on the program elements (e.g., training, emergency response); and a photograph of the WIPP transporter. To supplement the WIPP exhibit, sample radiation detection monitors (LUDLUM 14C) and the radio-transmitters that simulate operations of instrumentation were available at some of these events.

Prior to each "open house" event, EMNRD staff mailed letters of announcement and invitation to community leaders, schools, emergency responders and others in each community. Advertisements were placed in local papers when possible, and press releases and public service announcements were issued. Regardless of these efforts, many of these "open houses" were

poorly attended by the public (see summary of the events on pages 3-6). In addition, when possible and in conjunction with the informal "open houses," State personnel also gave formal presentations to city, town or village councils, county commissions, Local Emergency Planning Committees (LEPCs) and Tribal leaders (see Appendix M). The New Mexico WIPP Exhibit also was displayed at the New Mexico Statewide Emergency Medical Services Conference and the State's Regional Hazardous Materials Transportation Symposium.

### **The New Mexico "Open House" Approach**

**Target Audience:** citizens, emergency responders, and community leaders along the initial WIPP route.

**Participants:** State WIPP Program staff; DOE/Westinghouse personnel; WIPP Transporter drivers.

**Materials:** State Program Summary; Training Fact Sheet; Estimated Shipments; State of New Mexico Contact List; N.M. Radioactive Waste Consultation Task Force background and member list; WIPP Highway Shipment Routes in New Mexico and the United States; WGA WIPP Transportation Safety Program Implementation Guide; Status and Overview of Federal WIPP Legislation; copy of WIPP Land Withdrawal Act; DOE's WIPP Disposal Decision Plan; NM Motor Transportation Division Fact Sheet; League of Women Voter's Nuclear Waste Primer; EPA brochure on their role in WIPP; and the SSEB brochure on Transuranic Waste.

**Visual Aides:** Radiation detection equipment; TRUPACT-II Transporter (road show vehicle).

**Notice:** Direct notice mailed to community leaders and emergency responders prior to event; public notice advertisement in local newspaper week of event; press releases sent to local and statewide-distribution newspapers; and public service announcements faxed to local radio states, where possible.

**Supplemental Activities:** State presentations to city councils and county commissions in conjunction with "open houses;" use of exhibit at conferences.

## Summary of WIPP Public Awareness and Outreach Events

-- 1996 --

Date/Time	Community	Location	State Staff	DOE/ Westinghouse	TRUPACT	Ads/ Notice	# Attended	Formal Presentation	Comments
January 31 9:00 - 11:00	ABQ/Bernalillo County LEPC	Albuquerque Fire Academy	EMNRD NMED MTD DPS DOH		No	No	25-35	Yes	Each work group member gave a presentation. Handouts were provided.  TRUPACT truck was scheduled to be there but mechanical problems prevented this from occurring
February 15 1:30-4:30 & 6:00-8:00	Moriarty	Moriarty Community Center	EMNRD NMED MTD DPS DOH	Jim Ammons Patti Baratti- Sallani	Yes	Yes, East Mountain Telegraph	15-25	No	Most of the Moriarty Fire Department were in attendance  TV/press interviewed staff.
February 16  9:00 - 4:00	Tesuque	Camel Rock Casino U.S. 84/285	EMNRD NMED MTD DPS DOH	Ralph Smith Lynn Eaton Jim Ammons Steve Longchase	Yes	No	40-50	Yes	Each work group member made formal presentations before a multi-tribal group.  DOE also gave a formal presentation and brought their display.
March 21 1:30-4:30 & 6:00-8:00	Albuquerque	Indian Pueblo Cultural Center Special Events Building	EMNRD NMED MTD DPS DOH	Ralph Smith Steve Longchase	Yes	Yes  ABQ Journal	<10	No	Poor turnout; DOE/AL Radiological Assistance Program (RAP) representatives in attendance.
April 9  1:30	Las Vegas	San Miguel County Commission	EMNRD	JR Galle Jim Ammons	No	No	25-30	Yes	City/County Deputy director of Emergency Services in attendance.
April 11 1:30 - 4:30	Las Vegas	Las Vegas City Hall	EMNRD NMED DPS	JR Galle Jim Ammons	No	Yes Las Vegas Daily Optic	20-30	No	Truck unable to get there in time. City/County Emergency Program Manager and staff in attendance.  Anti-nuclear demonstrators present.
April 11 6:00	Las Vegas	Las Vegas City Council	EMNRD	JR Galle Jim Ammons	No	No	25-35	Yes	Local press in attendance.

**Summary of WIPP Public Awareness and Outreach Events  
- 1996 -**

Date/Time	Community	Location	State Staff	DOE/ Westinghouse	TRUPACT	Ads/ Notice	# Attended	Formal Presentation	Comments
May 14 1:30-4:30 & 6:00-8:00	Nambe Pueblo	Nambe Senior Citizens' Center	EMNRD DPS DOH	Bob Spooner Steve Longchase	Yes	Yes, Flyers	<10	No	Poor turnout. Governor Kaskala came.
May 15 1:30 - 7:30	Pojoaque Pueblo	Tribal Administration Council Chambers	EMNRD NMED	Bob Spooner Steve Longchase	Yes	Yes, Flyers	<10	No	Poor turnout.
May 16 1:30-4:30 & 6:00-8:00	Santa Fe	Capitol Building Rotunda	EMNRD NMED DPS	Jim Otts	Yes	Yes  SF New Mexican	10-20	No	Poor turnout
June 5 1:30-4:30 & 6:00-8:00	Los Alamos	Los Alamos Community Center	EMNRD NMED MTD DPS	Ralph Smith	Yes	Yes Los Alamos Monitor	75-85	No	40 Russian students, Representative Wallace, 2 city councillors, and the county emergency coordinator attended.
June 6 1:30-4:30 & 6:00-8:00	San Ildefonso	San Ildefonso Pueblo Community Center	EMNRD DOH		Yes	No	20-3025	No	Governor Torres, ex-governor and fire chief attended.
July 8 7:00	Wagon Mound	Wagon Mound Village Council	EMNRD		No	No	<10	Yes	Mayor opposed to WIPP, but appreciates attention to transportation safety.
July 9 3:00 - 7:00	Springer	Springer City Complex	EMNRD NMED DPS	Ralph Smith Steve Longchase	Yes		10-20	No	Mayor, fire chief, president of chamber of commerce attended. Mayor requested presentation before town council.
July 9 1:30	Mora	Mora County Commission	EMNRD		No	No	15-25	Yes	Concerned about training and equipment for local responders.
July 10 3:00 - 7:00	Wagon Mound	Wagon Mound Fire Department	EMNRD NMED	Ralph Smith Steve Longchase	Yes	Yes, flyers	20-30	No	Mayor, fire chief, county sheriff and county manager attended.
July 18-20 daily	Albuquerque	State EMS Conference - Convention Center	Various throughout week	Jim Eastham Roy Burkham	Yes	No	~200	No	Exhibit displayed in hall during conference.

**Summary of WIPP Public Awareness and Outreach Events  
-- 1996 --**

Date/Time	Community	Location	State Staff	DOE/ Westinghouse	TRUPACT	Ads/ Notice	# Attended	Formal Presentation	Comments
August 13 6:00	Raton	Raton City Council	EMNRD DOH		No	No	15-25	Yes	Council expressed concern about lack of escort, condition of Raton Pass, and consequences of severe breach.
August 14 3:00 - 7:00	Raton	Raton Chamber of Commerce & Visitors Center	EMNRD DOH	Patti Baratti- Sallani Jim Ammons	Yes	Yes, Raton Range	30-40	No	2 city councillors, entire fire department attended.  Fire department also displayed fire trucks and ambulance.
September 11 3:00 - 7:00	El Dorado	Agora Shopping Center	EMNRD DPS NMED MTD	Steve Longchase	Yes	Yes, SF New Mexican	60-70	No	Very good turnout with very interested public; one activist with sign and handouts present; fire chief attended.  Concerned about use of U.S. 285; speed limit and evacuation.
September 12 3:00 - 7:00	Lamy/Galisteo	Galisteo Fire Department	EMNRD MTD DPS	Steve Longchase Patti Baratti- Sallani	Yes*	Yes, SF New Mexican	<10	No	Rainy day. Poor turnout. Fire chief, county commissioner and county planner attended.  * Unable to get truck to site due to wet dirt roads.
October 15-18	Albuquerque	Regional HAZMAT Symposium	EMNRD NMED DPS DOH MTD	Dennis Hurtt Ralph Smith Jim Eastham Roy Burkham	Yes	No	~200	Yes, during breakout	Attended by emergency responders and public officials from across the state, as well as regional/national representatives in attendance.
October 23 3:00 - 7:00	Encino/Vaughn	Vaughn Fire Department	EMNRD DPS	Steve Longchase Ralph Smith Pat Kilgore	Yes	press release only	<10	No	Poor turnout.
November 21	Roswell	Roswell Mall	EMNRD	Roy Burkham J.R. Galle	Yes	Yes, Roswell Daily Record	30-40	No	City councilor attended; municipal police also
December 9	Loving Village Council Meeting	City Hall	EMNRD		No			Yes	
December 10	Artesia	Artesia High School	EMNRD	Roy Burkham Drivers	Yes	Carlsbad Paper	~15	No	Truck sent away at 5:00 p.m.

**Summary of WIPP Public Awareness and Outreach Events  
-- 1996 --**

Date/Time	Community	Location	State Staff	DOE/ Westinghouse	TRUPACT	Ads/ Notice	# Attended	Formal Presentation	Comments
December 10	Carlsbad City Council Meeting	City Hall	EMNRD		No	Yes, Carlsbad Current Argus		Yes	
December 11	Carlsbad	Carlsbad Mall	EMNRD	Roy Burkham Drivers	Yes	Yes, Carlsbad Current Argus	~35	No	New State Representative, John Heaton, attended.
December 12	Loving	Guevara Community Center	EMNRD	Roy Burkham Drivers	Yes	Yes, Carlsbad Current Argus	~10	No	Poor turnout; no participation after dark; truck sent away at dark.

**LOCATIONS OF WIPP PUBLIC AWARENESS  
AND OUTREACH EVENTS IN  
NEW MEXICO  
1996**



# Appendix A

# State of New Mexico is Committed to WIPP Transport Safety

The Waste Isolation Pilot Plant (WIPP), the nation's intended repository for "defense-related" transuranic wastes, is currently projected by the U.S. Department of Energy (DOE) to open as early as November 1997. If and when this occurs, wastes generated from research, development and production of nuclear weapons at DOE sites across the country will be shipped to WIPP, 26 miles southeast of Carlsbad, New Mexico. A campaign of approximately 38,000 shipments is expected to continue for over 35 years.

The State of New Mexico has been working for more than six years, internally and with a coalition of western states through the Western Governors' Association, to develop a transportation system whose goal is the safe and uneventful transport of radioactive materials through western states. The WIPP Transportation Safety Program is a cooperative effort among the shipment-corridor states, tribes, local officials and the DOE. The program goes beyond what is required by law and has been proven through actual use in other radioactive waste shipping campaigns. There is not a shipment on the road that will have undergone as much scrutiny by transportation safety specialists as WIPP shipments. In a July 1989 report, the prestigious National Academy of Sciences WIPP Panel said, "The system proposed for transportation of TRU waste to WIPP is safer than that employed for any other hazardous material in the United States today and will reduce risk to very low levels."

**Why all the fuss?** The wastes being shipped to the repository in Carlsbad are not harmless. Transuranic wastes include laboratory clothing, tools, plastics, rubber gloves, wood, metals, glassware and solidified waste contaminated with man-made radioactive materials including plutonium, americium and curium. Some of these wastes, known as "mixed" transuranic waste, also contain hazardous chemical constituents. Most of these wastes are "contact-handled," meaning the radiation they emit does not require heavy lead shielding. The primary radiation hazard posed by this waste is through inhalation or ingestion. Inhalation of certain transuranic materials, such as plutonium, even in very small quantities, could deliver significant internal radiation doses. The remaining waste is referred to as "remote-handled" because it requires heavy shielding and presents a much more significant external radiation hazard than contact-handled waste.

**How are transuranic wastes being shipped?** All contact-handled transuranic wastes destined for WIPP will be transported in the Transuranic Packaging Transporter (TRUPACT-II), a reusable shipping package or "cask," certified by the Nuclear Regulatory

Commission (NRC). Full-scale TRUPACT-II prototypes were subjected to a series of tests to demonstrate their ability to survive severe crashes and punctures followed by fires or immersion in water. Tests of full-scale containers go well beyond the NRC regulations, which require only computer simulation or tests on scale models. The TRUPACT-II has a flexible design which allows surfaces to move but still survive major deformities without leaking.

No more than three TRUPACTs, each holding up to fourteen 55-gallon drums of waste, will be secured directly to specially designed trailers and pulled by conventional diesel-powered tractors. The trucks will be equipped with a satellite communication and tracking system called TRANSCOM (see below).

About five percent of WIPP-bound waste by volume is classified as remote-handled. Additional procedures and standards will be required to address transportation safety related to these shipments, including certification of a shipping container by NRC.

**What routes will be used?** Specific routes have been identified for all WIPP shipments. The State of New Mexico has designated the following routes in accordance with federal regulations and guidelines:

- Shipments from the north will enter New Mexico on I-25 at Raton, travel south to the intersection of U.S. 285 (Lamy cutoff), and continue south on U.S. 285 through Vaughn, Roswell and Carlsbad, then east on U.S. 62/180 to WIPP.
- Shipments from the Los Alamos National Laboratory (TA-54) will use NM 4 to NM 502, then east to U.S. 84/285 (at Pojoaque) and continue south on U.S. 84/285 (through Santa Fe), then north on I-25 to U.S. 285 and south to Carlsbad. A bypass around the western side of Santa Fe is under construction and will be used when completed.
- Shipments from the west will enter the State on I-40 near Gallup, travel east through Grants, Albuquerque and at Clines Corners turn south on U.S. 285 through Carlsbad to WIPP.
- Shipments from the east will enter New Mexico from the south on U.S. 285 at the Texas/New Mexico border, travel north through Loving to Carlsbad and then to WIPP. The I-40 route from the Texas border west to Clines Corners is also "designated" for shipments from the east, but DOE is currently planning to use the southern route.

**What is New Mexico doing to prevent accidents?** Most truck accidents can be avoided by alert, skilled drivers who avoid driving when road and weather conditions are particularly hazardous and use high-quality, well-maintained equipment. These preventative measures were used in developing the accident prevention portion of the program to reduce the risks associated with transporting hazardous materials.

**Drivers & Carriers.** The U.S. Department of Transportation sets standards for drivers of trucks that carry hazardous cargo. DOE agreed to go beyond these requirements for its WIPP drivers and carrier. DOE has contracted with an exclusive carrier whose drivers have extensive, accident-free experience. WIPP drivers are subject to unannounced drug testing; will have no financial incentive to speed; and are fired upon any moving violation, even in their personal vehicles. The states have a program to audit the shipping contractors for compliance with the vehicle and driver requirements.

**Independent Inspections.** To identify and correct any mechanical defects in the vehicle and ensure radiation levels are within allowable limits, all shipments are subject to multiple inspections by state officials using enhanced safety standards that are much more stringent than those for other hazardous materials shipments. Inspections by specially trained state inspectors will take place prior to departure from the generator site, upon entry into the New Mexico, and when the shipment reaches the WIPP site. In addition, in compliance with their contract with DOE, drivers will pull over approximately every two hours to conduct a mechanical inspection of the vehicle.

**Bad Weather and Road Conditions.** The states and DOE have agreed on procedures to monitor weather and road conditions so that shipments can avoid hazards. Shipments will not depart DOE facilities if they are likely to encounter severe weather along the route. If unexpected bad weather or road conditions are encountered, pre-selected safe parking areas are available.

**Shipment Notification and Tracking.** All transuranic waste shipments will be monitored and tracked through a satellite-based system called TRANSCOM. The State of New Mexico has direct access to this system, which will provide shipping schedules and real-time tracking of shipments on the road. TRANSCOM allows for two-way communications with drivers and immediate emergency response guidance information, if necessary.

**What is the New Mexico doing to prepare for transportation incidents?** Emergency preparedness is a significant part of the WIPP Transportation Safety Program. While the shipments will be conducted in such a way as to prevent accidents from occurring, if one does take place, the State will be prepared to respond quickly, safely and effectively.

**Emergency Response Plans and Procedures.** A well organized and coordinated effort is necessary to make response to an accident swift and effective. Plans and procedures specifically designed to deal with transportation incidents involving the WIPP shipments are in place. The State of New Mexico has prepared several guidance documents which specify notification, incident command, and response procedures for use in the event of a WIPP accident.

**Mutual Aid Agreements.** The State of New Mexico has developed written agreements with DOE and the states of Arizona, California, Colorado, Nevada, and Utah to enhance any response to a WIPP accident, as well as to provide assistance for across state borders.

**Training, Drills & Exercises.** In coordination with DOE, the State of New Mexico has developed a WIPP-specific training regimen for emergency responders, which is incorporated directly into hazardous materials training programs for fire fighters, police and emergency medical staff along the routes. Hospital emergency room personnel also have been trained. Drills and exercises supplement the training.

**Emergency Response Equipment.** Radiation detection and personal protection equipment has been provided to emergency responders along the initial planned shipping routes in New Mexico. Responders have been trained to properly use this equipment in the event of an incident involving a TRUPACT.

**The Program Is Proven.** The inspection, shipment tracking and bad weather/safe parking procedures developed for WIPP shipments have been tested by other radioactive waste shipping campaigns in the past few years. Some aspects of the program have been modified based on deficiencies identified through evaluation on these shipments.

**For More Information** contact Chris Wentz or Heidi Snow of the New Mexico Energy, Minerals and Natural Resources Department, 2040 South Pacheco, Santa Fe, N.M. 87505 or telephone 505/827-5950.

# Appendix B

## **ALERT ANNUAL LOCAL EMERGENCY RESPONSE TRAINING**

The training courses listed on the reverse side are offered as part of a program to prepare New Mexico communities to respond to hazardous materials transportation accidents, including those involving a WIPP shipment. These courses continue to be available from the State of New Mexico's three training academies: 1) the Emergency Medical Services (EMS) Academy in Albuquerque; 2) the Fire Academy in Socorro; and 3) the Law Enforcement Academy in Santa Fe. However, in anticipation of the WIPP shipping campaign, each course has been modified to include WIPP-specific emergency response information and can be presented free-of-charge in your community as part of a progressive train-up program, culminating in a full-scale community WIPP accident exercise. The Department of Public Safety WIPP Program Manager acts as a facilitator to schedule the courses and, in some cases, provides funding or cost sharing for the Community ALERT Program. In conjunction with the training courses, a program of table-top exercises, drills and functional and full-scale exercises is also suggested. These are tailored to and sequenced with the Community ALERT training courses.

The community decides which training courses and exercises are included in the program based upon the current level of training of the participating emergency response organizations. Not all courses are required for each community. The target audience includes EMS, fire, law enforcement, public utilities, highway departments and Red Cross and other volunteer organizations. Courses may be scheduled for weekdays, evenings or weekends to accommodate full-time, shift and volunteer responders. Courses may be scheduled as frequently as necessary to achieve each organization's desired level of training,

Some equipment and supplies are available to communities through this program. Generally, this includes replacement of expendable supplies consumed during training, such as tyvek suits, gloves, booties, respirator filters, diking and absorbent materials, plastic sheets, decontamination supplies, etc. WIPP-specific equipment may also be provided including radiation survey instruments; emergency management computer software such as the U.S. Environmental Protection Agency's CAMEO program; and special hospital emergency room WIPP equipment kits.

Reimbursement of overtime, travel and per diem costs associated with participating in WIPP training is also available on a limited and very strictly defined basis.

In addition to the emergency response training, briefings to public officials, public town meetings, tours of the WIPP facility in Carlsbad and other information services can be arranged upon request.

For more information regarding the New Mexico ALERT Program contact:

**John Shea  
WIPP Program Manager  
New Mexico Department of Public Safety  
Office: 505/476-9628, Fax: 505/476-9695**

**Courses available under the ALERT program include:**

	<b>COURSE</b>	<b>Length</b>	<b>Prerequisites</b>
1.	Computer-Aided Management of Emergency Operations (CAMEO)	8 HRS	Computer Literacy Familiarity with Windows
2.	WIPP Safe Transportation Orientation	2 HRS	None
3.	HAZMAT Awareness Level (WiPP)	8 HRS	None
4.	HAZMAT Operations Level (WIPP)	24 HRS	HAZMAT Awareness
5.	HAZMAT Technician Level	80 HRS	HAZMAT Operations
6.	HAZMAT On-Scene Commander Critical Incident Management	24 HRS	HAZMAT Operations
7.	ICS Public Overview	2 HRS	None
8.	ICS Operations Level	4 HRS	HAZMAT Awareness
9.	ICS Technician Level	8 HRS	ICS Operations
10.	ICS On-Scene Commander	40 HRS	HAZMAT Operations
11.	Radiological Familiarization/ Refresher Training	4 HRS	HAZMAT Awareness
12.	Hospital Emergency Department Radiation Emergency	8 HRS	None
13.	REAC/TS On-Site Hospital Training	8 HRS	None
14.	REAC/TS Training at Oak Ridge, Tennessee	28 HRS	None
15.	EMS Operations for Hazardous Materials	16 HRS	HAZ MAT Awareness
16.	Radiation Emergency Training For Local Responders (RETLR)	24 HRS	HAZMAT Operations Rad Fam/Refresher

**WIPP Exercises:**

Orientation	2 HRS
TABLE-TOP Exercise	4 HRS
DRILL - No Notice	4 HRS
DRILL	4 HRS
Functional Exercise	4 HRS
Full-Scale Exercise	6 HRS
WIPPTRAX Full-Scale	6 HRS

# Appendix C

# Estimated Number of WIPP Shipments

**Number of WIPP shipments will increase as more waste is certified:**

<b>DATE</b>	<b>AVERAGE SHIPMENTS/WEEK</b>
November 1997	5
October 1998	7
October 1999	15
January 2000	17

**Opening of shipment routes will be phased-in:**

<b>GENERATOR SITE</b>	<b>FIRST SHIPMENT DATE<sup>1</sup></b>	<b>TOTAL # OF SHIPMENTS<sup>2</sup></b>		
		<b>CH</b>	<b>RH</b>	<b>TOTAL</b>
Los Alamos, New Mexico	November 1997	5,009	367	5,376
Idaho National Engineering Lab	November 1997	5,782	3,136	8,918
Rocky Flats, Colorado	November 1997	2,485	0	2,485
Savannah River Site, South Carolina	May 1998	2,238	0	2,238
Oak Ridge, Tennessee	October 1998	251	1,276	1,527
Hanford, Washington	October 1998	13,666	3,178	16,844
Lawrence Livermore, California	October 1999	162	0	162
Nevada Test Site	October 1999	86	0	86
Mound Laboratory, Ohio	October 2003	59	0	59
Argonne National Lab-East, Illinois	October 2003	28	0	28
<b>Totals</b>		<b>29,766</b>	<b>7,957</b>	<b>37,723</b>

<sup>1</sup> For contact-handled (CH) transuranic waste only. U.S. DOE projects that remote-handled (RH) waste shipments will commence in October 2001.

<sup>2</sup> Includes existing waste and wastes to be generated through clean up of DOE sites.

Source: WIPP Disposal Phase Draft SEIS-II, DOE/EIS-0026-S-2, November 1996, Chapter 5, Proposed Action. Numbers are subject to change.

## Appendix D

**WIPP HIGHWAY SHIPMENT**

**ROUTES**

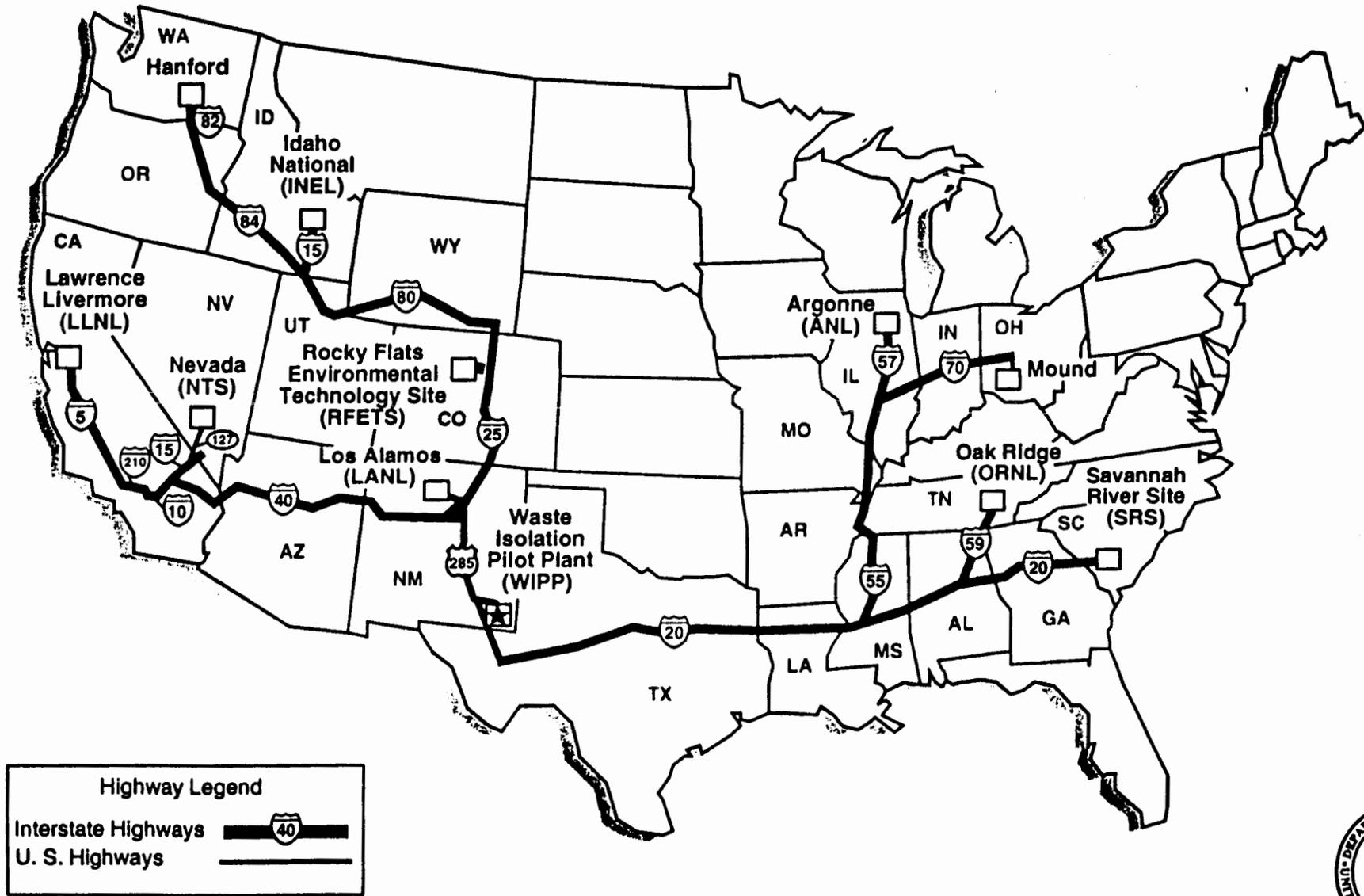
**IN**

**NEW MEXICO**

**AND THE**

**UNITED STATES**

# PROPOSED TRANSPORTATION ROUTES



# WIPP SHIPMENT ROUTES

Designated by the State of New Mexico



\* Not part of WIPP shipment route

Tree New Mexico



**PARTNERS FOR  
NEW MEXICO'S FUTURE**



AND **YOU**

In keeping with our ongoing environmental commitment, Pip Printing of Santa Fe, in partnership with Tree New Mexico, pledges to Plant One Tree in Your Name for each hundred dollars purchased in any single order. We will continue this program until Tree New Mexico reaches its goal of 16 Million Trees by the Year 2000.

PIP Printing is also a Tree New Mexico Northern New Mexico headquarters for contributions. Each dollar donated will plant and maintain one tree in New Mexico with the help of Tree New Mexico volunteers.

Please call Henry, Norma or Carl Evans at 982-8250 for further information.

**PIP PRINTING · 1424 Second Street · Santa Fe**  
Working for you and the Future of New Mexico



**NEW MEXICO STATE HIGHWAY AND TRANSPORTATION DEPARTMENT**



1120 Cermillos Road  
Santa Fe, New Mexico 87504-1149

SHTD 91-3

New Mexico State Highway and Transportation Department Rule Designating Highway Routes for the Transport of Radioactive Materials Filed w/ SRC 8/23/91

SHTD Rule No. 91-3 August 14, 1991

**A. AUTHORITY:**

New Mexico Laws 1991, chapter 204; 49 C.F.R. Section 177.825.

**B. DESIGNATIONS:**

Pursuant to United States Department of Transportation regulations, 49 C.F.R. Section 177.825, the federal government requires that "highway route controlled quantities of radioactive materials", defined in 49 C.F.R. Section 173.403, shall be transported over Interstate System highways to the extent possible, unless a state designates other preferred routes as an alternative to, or in addition to, Interstate System highways. The New Mexico State Highway Commission designates the following routes for the transport of highway route controlled quantities of radioactive materials within New Mexico to the Waste Isolation Pilot Plant (WIPP) site near Carlsbad:

1. Northern Route

From the Colorado-New Mexico border south on I-25 through Raton, Springer, and Las Vegas to the junction of I-25 and U.S. 285 near Santa Fe; south on U.S. 285 through Clines Corners, Encino, Vaughn, Roswell and Artesia to the junction of U.S. 285 and U.S. 62/180 in Carlsbad; east on U.S. 62/180 to the WIPP north access road. Currently posted "truck routes" shall not be used. If and when Roswell, Artesia and Carlsbad Relief Routes are available, they shall be used instead of the route through each respective city.

B. Second and third year continuation scholarships must be for that same individual who held the scholarship at the end of the first academic year.

**X. Termination of Scholarships**

A scholarship is terminated upon the occurrence of withdrawal from the institution by the recipient, failure to re-enroll or to be a full-time student, or substantial noncompliance by the recipient with the Graduate Scholarship Act or the rules, regulations or procedures promulgated by the commission:

A. by the institution in which case the scholarship may be rewarded to another institution; and/or

B. by the award recipient in which case the scholarship may be rewarded to another individual.

**XI. Delegation of Administration**

The commission may designate an administrative agent for this program. The administrative agent shall be responsible for disbursement of funds to participating institutions through the individual appointed by the institution as administrator for the scholarship program.

**Reporting Form:**

NMEAF Annual Report November 30  
CHE Annual Report January 10

CHE Rule 890  
Effective Date 6/24/88  
Last Revision 5/17/91

# New Mexico Register

Volume II Number 16

August 31, 1991

## 2. Western Route

From the Arizona-New Mexico border east on I-40 through Gallup, Thoreau, Grants, Albuquerque, and Moriarty to the junction of I-40 and U.S. 285 at Clines Corners; south on U.S. 285 through Encino, Vaughn, Roswell and Armasa to the junction of U.S. 285 and U.S. 62/180 in Carlsbad; east on U.S. 62/180 to the WIPP north access road. Currently posted "truck routes" shall not be used. If and when Roswell, Armasa and Carlsbad Relief Routes are available, they shall be used instead of the route through each respective city.

## 3. Eastern Route

From the Texas-New Mexico border west on I-40 through Tucuman to the junction of I-40 and U.S. 54 at Santa Rosa; south on U.S. 54 through Pastura to the junction of U.S. 54 and U.S. 285 at Vaughn; south on U.S. 285 through Roswell and Armasa to the junction of U.S. 285 and U.S. 62/180 in Carlsbad; east on U.S. 62/180 to the WIPP north access road. Currently posted "truck routes" shall not be used. If and when Roswell, Armasa and Carlsbad Relief Routes are available, they shall be used instead of the route through each respective city.

## 4. Southern Route

From the Texas-New Mexico border north on U.S. 285 through Loving to the junction of U.S. 285 and U.S. 62/180 in Carlsbad; east on U.S. 62/180 to the WIPP north access road. Currently posted "truck routes" shall not be used. If and when a Carlsbad Relief Route is available, it shall be used instead of the route through Carlsbad.

## 5. Los Alamos National Laboratory

From the Los Alamos National Laboratory in Los Alamos County east on the Los Alamos Truck Route to the junction of the Los Alamos Truck Route and N.M. 4; north on N.M. 4 to the junction of N.M. 4 and N.M. 502; east on N.M. 502 to the junction of N.M. 502 and U.S. 64/285 at Pojoaque; south on U.S. 64/285 through Santa Fe to the junction of U.S. 64/285 and I-25; north on I-25 to the junction of I-25 and U.S. 285; south on U.S. 285 through Clines Corners, Encino, Vaughn, Roswell and Armasa to the junction of U.S. 285 and U.S. 62/180 in Carlsbad; east on U.S. 62/180 to the WIPP north access road. Currently posted "truck routes" shall not be used.

If and when a Santa Fe Bypass and Roswell, Armasa and Carlsbad Relief Routes are available, the bypass and relief routes shall be used instead of the route through each respective city.

## NEW MEXICO DEPARTMENT OF HUMAN SERVICES

### INCOME SUPPORT DIVISION

Financial Assistance Bureau  
P. O. Box 2348 (Polson Plaza)  
Santa Fe, NM 87504-2348

ISD FA-330

Amendment No. 02 - Pages 1 through 4

Child Support

Filed w/ SRC 8/13/91

07-09-91

### 331 CHILD SUPPORT ENFORCEMENT BUREAU

The Child Support Enforcement Division (CSED) will be notified when AFDC/Medicaid is furnished to a child who is deprived of parental care or support due to the continued absence of a parent. CSED has the following responsibilities:

(1) enforcement of state laws to establish the child support obligation of responsible parents, and the paternity of children born out of wedlock;

(2) collection of child support payments for recipients who have assigned their rights of support to the state (includes location and contact with absent parents); and

(3) distribution of child support payments that are collected in accordance with federal regulations governing such distribution.

### 332 DUTY TO COOPERATE

Each specified relative, regardless of whether s/he is included in the budget group, who applies for and receives assistance for dependent children is required to cooperate with child support enforcement activities. Cooperation with child support enforcement includes: (1) identifying and locating the

absent parent of the children receiving assistance; (2) establishing the paternity of the children in the budget group who were born out of wedlock; (3) obtaining child, spousal and medical support for the parent and children; (4) identifying and providing information necessary to pursuit of third party health coverage; and (5) obtaining other payments and property due the children receiving assistance. The specified relative/caretaker required to cooperate will remain eligible on this condition until and unless s/he chooses not to provide information to the ISS or to the Child Support Enforcement Division. Upon notification by CSED of failure to cooperate, the ISS will make an independent evaluation of the circumstances and a determination of whether the individual has failed to cooperate with child support enforcement. The specified relative/caretaker who has been granted a waiver of the cooperation requirement will remain eligible on this condition as long as the waiver is in effect.

A specified relative in the AFDC/Medicaid program is required to assign his/her rights to child, spousal and medical support on behalf of himself/herself and any child(ren) included in the budget group who is deprived of parental support because of the absence of one or both parents. Assignment of child, spousal and medical support rights is accomplished through application for and receipt of benefits and is considered in effect as of the date of application for benefits.

Failure to submit to CSED any support payments which the client received, after the agreed upon date, constitutes failure to cooperate. Willingness to cooperate can be re-established in such cases, only when the client submits a subsequently received support payment to CSED, or when the absent parent begins to send support payments directly to CSED, or the client repays to CSED the full amount of the retained support payment(s). This requirement applies to all parents who have assigned support rights, regardless of whether a good cause waiver has been granted.

The parent who is not willing to cooperate, as explained above, is not eligible for inclusion in the grant and his/her portion of the grant and Medicaid will not be provided. See Section 439.21. Any assistance or which the dependent children are eligible will be paid according to Section 452.

# Appendix E



STATE OF NEW MEXICO  
**Taxation and Revenue Department**  
An Equal Opportunity Employer

**Gary E. Johnson**  
*Governor*

**John J. Chavez**  
*Secretary*

**Office of the Secretary**  
(505) 827-0341  
**Administrative Services**  
(505) 827-0369  
**Audit and Compliance**  
(505) 827-0900  
**Motor Transportation**  
(505) 827-0320  
**Motor Vehicle**  
(505) 827-2294  
**Property Tax**  
(505) 827-0870  
**Revenue Processing**  
(505) 827-0800

THE MOTOR TRANSPORTATION DIVISION (MTD) IS PART OF THE TAXATION AND REVENUE DEPARTMENT. THE MTD MISSION IS TO ASSURE SAFE, LEGAL MOTOR CARRIER TRANSPORTATION WITHIN NEW MEXICO. AS PART OF THIS MISSION, MTD PERSONNEL WILL INSPECT EACH WIPP VEHICLE UPON ITS ARRIVAL IN NEW MEXICO. INITIALLY, THIS WILL BE AT THE RATON PORT OF ENTRY. ADDITIONALLY, AS PART OF A SURVEY ON INSPECTION REQUIREMENTS, MTD PERSONNEL WILL ALSO INSPECT THE WIPP VEHICLE AT THE WIPP SITE, UPON THE CONCLUSION OF THE TRIP. IN THE UNLIKELY EVENT OF A WIPP ACCIDENT, MTD WILL ALSO REINSPECT THE VEHICLE PRIOR TO ALLOWING IT TO RESUME ITS TRIP THROUGH NEW MEXICO.

SELECTED MTD INSPECTORS, WHO HAVE RECEIVED SPECIAL TRAINING IN CONDUCTING THE RADIOLOGICAL INSPECTION OF THE WIPP VEHICLE PRIOR TO THE REQUIRED SAFETY INSPECTION ON BOTH THE VEHICLE AND DRIVERS, ARE IN PLACE IN RATON, VAUGHN, AND CARLSBAD AND IN SANTA FE COUNTY. THE PLAN IS TO HAVE INSPECTORS NO FURTHER THAN ONE HOUR FROM THE WIPP VEHICLE ANYTIME IT IS WITHIN NEW MEXICO.

BOTH THE RATON AND VAUGHN PORTS OF ENTRY ARE ALSO DESIGNATED SAFE PARKING AREAS FOR WIPP VEHICLES IN THE EVENT OF BAD WEATHER OR HAZARDOUS ROAD CONDITIONS.



**WIPP SAFE TRANSPORT PROGRAM:  
STATE OF NEW MEXICO CONTACT LIST**

**INFORMATION AND PROGRAM ADMINISTRATION**

**New Mexico Radioactive Waste Consultation Task Force** **505/827-5950**  
Chris Wentz or Heidi Snow  
New Mexico Energy, Minerals & Natural Resources Department  
2040 South Pacheco, Santa Fe, NM 87505

**INSPECTION OF WIPP TRUCKS**

**Motor Transportation Division** **505/827-0644**  
Bill Brubaker  
New Mexico Taxation and Revenue Department  
P.O. Box 1028, Santa Fe, NM 87504-1028

**EMERGENCY MEDICAL PREPAREDNESS**

**New Mexico Department of Health** **505/827-1400**  
Ralph Davis  
Emergency Medical Services Bureau  
P.O. Box 26110, Santa Fe, NM 87502-6110

**New Mexico Environment Department** **505/827-1557**  
Bobby Lopez  
Hazardous & Radioactive Materials Bureau  
2044 Galisteo Street, Santa Fe, NM 87505

**WIPP HIGHWAY CONSTRUCTION & ROUTING**

**State Highway and Transportation Department** **505/827-3228**  
Tom Koglin  
Transportation Planning Division  
P.O. Box 1149, Santa Fe, NM 87504-1149

**EMERGENCY RESPONSE GUIDANCE, TRAINING, & EQUIPMENT**

**New Mexico Department of Public Safety** **505/476-9628**  
John Shea  
Emergency Management Bureau  
P.O. Box 1628, Santa Fe, NM 87504-1628

**State Fire Marshal's Office** **505/827-3721**  
George Chavez  
P.O. Drawer 1269, Santa Fe, NM 87504-1269

**New Mexico Environment Department** **505/827-1557**  
Bobby Lopez  
Hazardous & Radioactive Materials Bureau  
2044 Galisteo Street, Santa Fe, NM 87505

# Appendix G

**NEW MEXICO  
RADIOACTIVE WASTE CONSULTATION TASK FORCE**

Ms. Jennifer Salisbury, Task Force Chair and Cabinet Secretary  
N.M. Energy, Minerals & Natural Resources Department  
2040 S. Pacheco Street  
Santa Fe, NM 87505  
827-5950

Mr. John Chavez, Cabinet Secretary  
N.M. Taxation and Revenue Department  
Joseph M. Montoya Building, 3rd Floor  
P.O. Box 630  
Santa Fe, NM 87504-0630  
827-0341

Mr. Mark Weidler, Cabinet Secretary  
N.M. Environment Department  
Harold Runnels Building, Rm. 4050  
1190 St. Francis Drive  
P.O. Box 26110  
Santa Fe, NM 87502  
827-2850

Mr. Alex Valdez, Cabinet Secretary  
N.M. Department of Health  
Harold Runnels Building, Rm. 4100  
1190 St. Francis Drive  
P.O. Box 26110  
Santa Fe, NM 87502  
827-2613

Mr. Pete Rahn, Cabinet Secretary  
N.M. State Highway & Transportation Department  
1120 Cerrillos Road  
P.O. Box 1149  
Santa Fe, NM 87504-1149  
827-5110

Mr. Darren White, Cabinet Secretary  
N.M. Department of Public Safety  
Albuquerque Highway off Cerrillos Rd.  
P.O. Box 1628  
Santa Fe, NM 87504-1628  
827-3370

**Advisory Members:**

Representative Robert S. Light, Chairman  
Senator Tom Rutherford, Vice-Chair  
Radioactive and Hazardous Materials Committee  
c/o Legislative Council Service  
State Capitol Building, Room 311  
Santa Fe, NM 87503  
986-4600

**NEW MEXICO  
RADIOACTIVE WASTE CONSULTATION TASK FORCE**

The N.M. Radioactive Waste Consultation Task Force, sometimes known as the Governor's WIPP Task Force, is authorized by the *Radioactive and Hazardous Materials Act* [Section 74-4A-2 through 74-4A-14 NMSA 1978]. The membership is comprised of the Secretaries of the Energy, Minerals and Natural Resources Department, Taxation and Revenue Department, Department of Health, Environment Department, Department of Public Safety, and the State Highway and Transportation Department, or their designees. In addition, the Chairman and Vice-Chairman of the joint interim legislative Radioactive and Hazardous Materials Committee, or their representatives, participate as advisory members. The Governor appoints the Chair of the Task Force.

The primary duties of the Task Force include negotiating on behalf of the State of New Mexico with the federal government in all areas relating to the siting, licensing, and operation of new federal disposal facilities for high-level, transuranic, and low-level radioactive wastes (e.g., WIPP); conducting technical and policy analyses of related issues; recommending legislation to implement the State's policies with respect to new federal disposal facilities; identifying and disseminating information on impacts associated with those disposal facilities; and coordinating any related investigations or studies undertaken by State agencies. The Task Force is also required to meet with the Radioactive and Hazardous Materials Committee of the New Mexico State Legislature and keep them apprised of all actions taken by the Task Force.

# Appendix H

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## FEDERAL WIPP LEGISLATION: STATUS AND OVERVIEW

### CHRONOLOGY of CONGRESSIONAL ACTION on H.R. 1663/S. 1402, WIPP LAND WITHDRAWAL AMENDMENT ACT

- **MAY 17, 1995:** H.R. 1663 INTRODUCED BY CONGRESSMAN JOE SKEEN (R-NEW MEXICO), WITH CO-SPONSORSHIP BY DAN SCHAEFER (R-COLORADO) AND MIKE CRAPO (R-IDAHO); REFERRED JOINTLY TO THE HOUSE COMMERCE COMMITTEE & THE COMMITTEE ON NATIONAL SECURITY
- **JULY 21, 1995:** HEARING ON H.R. 1663 BEFORE THE (HOUSE COMMERCE) ENERGY AND POWER SUBCOMMITTEE
- **JULY 28, 1995:** ENERGY AND POWER SUBCOMMITTEE OF THE HOUSE COMMERCE COMMITTEE PASSES H.R. 1663
- **NOVEMBER 8, 1995:** S. 1402, A COMPANION BILL TO H.R. 1663, INTRODUCED BY SENATOR LARRY E. CRAIG (R-IDAHO), WITH CO-SPONSORSHIP BY J. BENNETT JOHNSTON (D-LOUISIANA) AND DIRK KEMPTHORNE (R-IDAHO); REFERRED SOLELY TO THE SENATE ENERGY AND NATURAL RESOURCES COMMITTEE
- **MARCH 13, 1996:** H.R. 1663 AMENDED BY FULL HOUSE COMMERCE COMMITTEE (SCHAEFER AMENDMENT) AND PASSED ON A VOICE VOTE
- **JUNE 20, 1996:** WIPP LEGISLATION ATTACHED AS A "RIDER" (AMENDMENT #4085) TO THE NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 1997 (S. 1745); AMENDMENT AGREED TO BY FULL SENATE ON A VOICE VOTE
- **JULY 10, 1996:** FULL SENATE PASSES S. 1745, WITH WIPP LEGISLATION INCLUDED AS AN AMENDMENT, BY A VOTE OF 68-31; SENATE INCORPORATES MEASURE AS AN AMENDMENT TO THE HOUSE VERSION OF THE NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 1997 (H.R. 3230) AND REQUESTS CONFERENCE WITH THE HOUSE
- **JULY 30, 1996:** HOUSE/SENATE CONFEREES PRODUCE A CONFERENCE REPORT; THE REPORT, WHICH INCLUDES WIPP LAND WITHDRAWAL ACT AMENDMENTS, IS FILED IN THE HOUSE (REFERENCE: SECTIONS 3181-3191, SUBTITLE F, TITLE XXXI, H. REPT. 104-724)
- **AUGUST 1, 1996:** FULL HOUSE PASSES THE BILL (H.R. 3230 CONFERENCE REPORT) BY A VOTE OF 285-132
- **SEPTEMBER 10, 1996:** FULL SENATE PASSES THE BILL (H.R. 3230 CONFERENCE REPORT) BY A VOTE OF 73-26; BILL SENT TO PRESIDENT FOR SIGNATURE
- **SEPTEMBER 23, 1996:** PRESIDENT CLINTON SIGNS BILL INTO LAW

**FEDERAL WIPP LEGISLATION:  
STATUS AND OVERVIEW  
(continued)**

● KEY PROVISIONS (7/30/96 Conference Report)

- DELETES ALL LANGUAGE IN THE WIPP LAND WITHDRAWAL ACT (PUBLIC LAW 102-579) RELATING TO THE "TEST PHASE"
- PROVIDES FOR THE INCREMENTAL SUBMISSION TO EPA OF CHAPTERS OF DOE'S WIPP COMPLIANCE CERTIFICATION APPLICATION UNDER 40 CFR PARTS 191 AND 194
- EXEMPTS WIPP FROM THE EXISTING RESOURCE CONSERVATION AND RECOVERY ACT (RCRA) LAND DISPOSAL RESTRICTIONS; THIS WOULD OBVIATE THE NEED FOR DOE TO RECEIVE EPA APPROVAL OF THE WIPP NO-MIGRATION VARIANCE PETITION
- ELIMINATES VARIOUS EXISTING PREREQUISITES TO OPENING WIPP FOR DISPOSAL OPERATIONS; DISPOSAL COULD NOW COMMENCE UPON:
  - 1) EPA'S CERTIFICATION THAT WIPP COMPLIES WITH THE APPLICABLE DISPOSAL STANDARDS, 40 CFR PART 191;
  - 2) DOE'S ACQUISITION OF EXISTING FEDERAL OIL/GAS LEASES (UNLESS DETERMINED NOT NECESSARY BY EPA); and
  - 3) EXPIRATION OF A 30-DAY PERIOD, BEGINNING WHEN DOE NOTIFIES CONGRESS THAT WIPP COMPLIES WITH ALL APPLICABLE LAWS AS IDENTIFIED IN THE ACT
- STATES IT IS THE "SENSE OF CONGRESS" THAT DOE SHOULD COMPLETE ALL ACTIONS NECESSARY TO COMMENCE DISPOSAL OPERATIONS NO LATER THAN NOVEMBER 30, 1997--PROVIDED ALL APPLICABLE HEALTH AND SAFETY STANDARDS HAVE BEEN MET
- MAKES \$20 MILLION AVAILABLE FROM DOE'S FISCAL YEAR 1997 APPROPRIATION FOR PAYMENT TO NEW MEXICO FOR ITS WIPP ROUTE IMPROVEMENTS

SOURCE: CHRIS J. WENTZ, COORDINATOR, N.M. RADIOACTIVE WASTE CONSULTATION TASK FORCE, OCTOBER 1996.

# Appendix I

PUBLIC LAW 102-579  
THE WASTE ISOLATION PILOT PLANT LAND WITHDRAWAL ACT  
as amended by Public Law 104-201 (H.R. 3230, 104th Congress)

**SECTION I. SHORT TITLE; TABLE OF CONTENTS.**

(a) **SHORT TITLE.**— This Act may be cited as the "Waste Isolation Pilot Plant Land Withdrawal Act".

(b) **TABLE OF CONTENTS.**—

- Sec. 1. Short title; table of contents.
- Sec. 2. Definitions.
- Sec. 3. Land withdrawal and reservation for WIPP.
- Sec. 4. Establishment of management responsibilities.
- Sec. 6. Test phase activities.
- Sec. 7. Disposal operations.
- Sec. 8. Environmental Protection Agency disposal regulations.
- Sec. 9. Compliance with environmental laws and regulations.
- Sec. 10. Sense of Congress on commencement of emplacement of transuranic waste.
- Sec. 11. Mine safety.
- Sec. 12. Ban on high-level radioactive waste and spent nuclear fuel.
- Sec. 13. Decommissioning of WIPP.
- Sec. 14. Savings provisions.
- Sec. 15. Economic assistance and miscellaneous payments.
- Sec. 16. Transportation.
- Sec. 17. Access to information.
- Sec. 18. Judicial review of EPA actions.
- Sec. 19. Technology study.
- Sec. 20. Statement for purposes of Public Law 96-164.
- Sec. 21. Consultation and cooperation agreement.
- Sec. 22. Buy American requirements.
- Sec. 23. Authorization of appropriations.

**SEC. 2. DEFINITIONS.**

For purposes of this Act:

(1) **ADMINISTRATOR.**— The term "Administrator" means the Administrator of the Environmental Protection Agency.

(2) **AGREEMENT.**— The term "Agreement" means the July 1, 1981, Agreement for Consultation and Cooperation, as amended by the November 30, 1984 "First Modification", the August 4, 1987 "Second Modification", and the March 18, 1988 "Third Modification" or as it may be amended after the date of enactment of this Act between the State and the United States Department of Energy as authorized by section 213(b) of the Department of Energy National Security and Military Applications of Nuclear Energy Authorization Act of 1980 (Pub. L. 96-164; 93 Stat. 1259, 1265).

(3) **CONTACT-HANDLED TRANSURANIC WASTE.**— The term "contact-handled transuranic waste" means transuranic waste with a surface dose rate not greater than 200 millirem per hour.

(4) **DECOMMISSIONING PHASE.**— The term "decommissioning phase" means the period of time beginning with the end of the disposal phase and ending when all shafts at the WIPP repository have been back-filled and sealed.

(5) **DISPOSAL.**— The term "disposal" means permanent isolation of transuranic waste from the accessible environment with no intent of recovery, whether or not such isolation permits the recovery of such waste.

(6) **DISPOSAL PHASE.**— The term "disposal phase" means the period of time, during which transuranic waste is disposed of at WIPP, beginning with the initial emplacement of transuranic waste underground for disposal and ending when the last container of transuranic waste, as determined by the Secretary, is emplaced underground for disposal.

(7) **DISPOSAL REGULATIONS.**— The term "disposal regulations" means the environmental regulations for the disposal of spent nuclear fuel, high-level radioactive waste, and transuranic waste under section 8.

(8) **EEG.**— The term "EEG" means the Environmental Evaluation Group for the Waste Isolation Pilot Plant referred to in section 1433 of the National Defense Authorization Act, Fiscal Year 1989 (Pub. L. 100-456; 102 Stat. 1918, 2073).

(9) **ENGINEERED BARRIERS.**— The term "engineered barriers" means backfill, room seals, panel seals, and any other manmade barrier components of the disposal system.

(10) **HIGH-LEVEL RADIOACTIVE WASTE.**— The term "high-level radioactive waste" has the meaning given such term in section 2(12) of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10101(12)).

(11) **NO-MIGRATION DETERMINATION.**— The term "No-Migration Determination" means the Final Conditional No-Migration Determination for the Department of Energy Waste Isolation Pilot Plant published by the Environmental Protection Agency on November 14, 1990 (55 Fed. Reg. 47700), and any amendments thereto, pursuant to the Solid Waste Disposal Act (42 U.S.C. 6901 et seq.).

(12) **REMOTE-HANDLED TRANSURANIC WASTE.**— The term "remote-handled transuranic waste" means transuranic waste with a surface dose rate of 200 millirem per hour or greater.

(13) **RETRIEVAL.**— The term "retrieval" means the removal of transuranic waste and the container in which it has been retained and any material contaminated by such waste from the underground repository at WIPP.

(14) **SECRETARY.**— The term "the Secretary" means the Secretary of Energy.

(15) **SPENT NUCLEAR FUEL.**— The term "spent nuclear fuel" has the meaning given such term in section 2(23) of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10101(23)).

(16) **STATE.**— The term "the State" means the State of New Mexico.

(17) **SUPPLEMENTAL STIPULATED AGREEMENT.**— The term "Supplemental Stipulated Agreement" means the Supplemental Stipulated Agreement Resolving Certain State Off-Site Concerns Over WIPP, dated December 27, 1982, to the Stipulated Agreement Between DOE and the State in *State of New Mexico ex rel. Bingaman v. DOE*, Case No. CA 81-0363 JB (D. N. Mex.), dated July 1, 1981.

(18) **TRANSURANIC WASTE.**— The term "transuranic waste" means waste containing more than 100 nanocuries of alpha-emitting transuranic isotopes per gram of waste, with half-lives greater than 20 years, except for—

(A) high-level radioactive waste;

(B) waste that the Secretary has determined, with the concurrence of the Administrator, does not need the degree of isolation required by the disposal regulations; or

(C) waste that the Nuclear Regulatory Commission has approved for disposal on a case-by-case basis in accordance with part 61 of title 10, Code of Federal Regulations.

(19) **WIPP.**— The term "WIPP" means the Waste Isolation Pilot Plant project authorized under section 213 of the Department of Energy National Security and Military Applications of Nuclear Energy Authorization Act of 1980 (Pub. L. 96-164; 93 Stat. 1259 1265) to demonstrate the safe disposal of radioactive waste materials generated by atomic energy defense activities.

(20) **WITHDRAWAL.**— The term "Withdrawal" means the geographical area consisting of the lands described in section 3(c).

**SEC. 3. LAND WITHDRAWAL AND RESERVATION FOR WIPP.**

(a) **LAND WITHDRAWAL, JURISDICTION, AND RESERVATION.**—

(1) **LAND WITHDRAWAL.**— Subject to valid existing rights, and except as otherwise provided in this Act, the lands described in subsection (c) are withdrawn from all forms of entry, appropriation,

and disposal under the public land laws, including without limitation the mineral leasing laws, the geothermal leasing laws, the material sale laws (except as provided in section 4(b)(4) of this Act), and the mining laws.

(2) JURISDICTION.— Except as otherwise provided in this Act, jurisdiction over the Withdrawal is transferred from the Secretary of the Interior to the Secretary.

(3) RESERVATION.— Such lands are reserved for the use of the Secretary for the construction, experimentation, operation, repair and maintenance, disposal, shutdown, monitoring, decommissioning, and other authorized activities associated with the purposes of WIPP as set forth in section 213 of the Department of Energy National Security and Military Applications of Nuclear Energy Authorization Act of 1980 (Pub. L. 96-164; 93 Stat. 1259, 1265), and this Act.

(b) REVOCATION OF PUBLIC LAND ORDERS.— Public Land Order 6403 of June 29, 1983, as modified by Public Land Order 6826 of January 28, 1991, and any memoranda of understanding accompanying such land orders, are revoked.

(c) LAND DESCRIPTION.—

(1) BOUNDARIES.— The boundaries depicted on the map issued by the Bureau of Land Management of the Department of the Interior, entitled "WIPP Withdrawal Site Map," dated October 9, 1990, and on file with the Bureau of Land Management, New Mexico State Office, are established as the boundaries of the Withdrawal.

(2) LEGAL DESCRIPTION AND MAP.— Within 30 days after the date of the enactment of this Act, the Secretary of the Interior shall—

(A) publish in the Federal Register a notice containing a legal description of the Withdrawal; and

(B) file copies of the map described in paragraph (1) and the legal description of the Withdrawal with the Congress, the Secretary, the Governor of the State, and the Archivist of the United States.

(d) TECHNICAL CORRECTIONS.— The map and legal description referred to in subsection (c) shall have the same force and effect as if they were included in this Act. The Secretary of the Interior may correct clerical and typographical errors in the map and legal description.

(e) WATER RIGHTS.— This Act does not establish, nor may any provision be construed to establish, a reservation to the United States with respect to any water or water rights. Nothing in this Act shall affect any water rights acquired by the United States prior to the date of enactment of this Act. The United States may apply for and obtain water rights for purposes associated with this Act only in accordance with the substantive and procedural requirements of the laws of the State.

#### SEC. 4. ESTABLISHMENT OF MANAGEMENT RESPONSIBILITIES.

(a) GENERAL AUTHORITY.— The Secretary shall be responsible for the management of the Withdrawal, consistent with the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.), this Act, and other applicable law, and shall consult with the Secretary of the Interior and the State in discharging such responsibility.

(b) MANAGEMENT PLAN.—

(1) DEVELOPMENT.— Within 1 year after the date of the enactment of this Act, the Secretary, in consultation with the Secretary of the Interior and the State, shall develop a management plan for the use of the Withdrawal until the end of the decommissioning phase.

(2) PRIORITY OF WIPP-RELATED USES.— Any use of the Withdrawal for activities not associated with WIPP shall be subject to such conditions and restrictions as may be necessary to permit the conduct of WIPP-related activities.

(3) NON-WIPP RELATED USES.— The management plan developed under paragraph (1) shall provide for the maintenance of wildlife habitat and shall provide that the Secretary may permit such non-WIPP related uses of the Withdrawal as the Secretary determines to be appropriate, including domestic livestock grazing and hunting and trapping in accordance with the following requirements:

(A) GRAZING.— The Secretary may permit grazing to continue where established before the date of the enactment of this Act, subject to such regulations, policies, and practices as the Secretary, in consultation with the Secretary of the Interior, determines to be necessary or appropriate. The management of grazing shall be conducted in accord with applicable grazing laws and policies, including—

(i) the Act entitled "An Act to stop injury to public grazing lands by preventing overgrazing and soil deterioration, to provide for their orderly use, improvement, and development, to stabilize the livestock industry dependent upon the public range, and for other purposes," approved June 28, 1934 (43 U.S.C. 315 et seq., commonly referred to as the "Taylor Grazing Act");

(ii) title IV of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1751 et seq.); and

(iii) the Public Rangelands Improvement Act of 1978 (43 U.S.C. 1901 et seq.).

(B) HUNTING AND TRAPPING.— The Secretary may permit hunting and trapping within the Withdrawal in accordance with applicable laws and regulations of the United States and the State, except that the Secretary, after consultation with the Secretary of the Interior and the State, may issue regulations designating zones where, and establishing periods when, no hunting or trapping is permitted for reasons of public safety, administration, or public use and enjoyment.

(4) DISPOSAL OF SALT TAILINGS.— The Secretary shall dispose of salt tailings extracted from the Withdrawal that the Secretary determines are not needed for backfill at WIPP. Disposition of such tailings shall be made under sections 2 and 3 of the Act of July 31, 1947, (30 U.S.C. 602, 603; commonly referred to as the "Materials Act of 1947").

(5) MINING.—

(A) IN GENERAL.— Except as provided in subparagraph (B), no surface or subsurface mining or oil or gas production, including slant drilling from outside the boundaries of the Withdrawal, shall be permitted at any time (including after decommissioning) on lands on or under the Withdrawal.

(B) EXCEPTION.— Existing rights under Federal Oil and Gas Leases No. NMNM 02953 and No. NMNM 02953C shall not be affected unless the Administrator determines, after consultation with the Secretary and the Secretary of the Interior, that the acquisition of such leases by the Secretary is required to comply with the final disposal regulations.

(c) CLOSURE TO PUBLIC.— If during the land withdrawal made by section 3(a) the Secretary determines, in consultation with the Secretary of the Interior, that the health and safety of the public or the common defense and security require the closure to the public use of any road, trail, or other portion of the Withdrawal, the Secretary may take whatever action the Secretary determines to be necessary to effect and maintain the closure and shall provide notice to the public of such closure.

(d) MEMORANDUM OF UNDERSTANDING.— The Secretary and the Secretary of the Interior shall enter into a memorandum of understanding to implement the management plan developed under subsection (b). Such memorandum shall remain in effect until the end of the decommissioning phase.

(e) SUBMISSION OF PLAN.— Within 1 year after the date of the enactment of this Act, the Secretary shall submit the management plan developed under subsection (b) to the Congress and the State. Any amendments to the plan shall be submitted promptly to the Congress and the State.

#### SEC. 6. TEST PHASE ACTIVITIES.

(a) STUDY.— The following study shall be conducted:

(1) IN GENERAL.— Within 3 years after the date of the enactment of this Act, the Secretary shall complete a study on remote-handled transuranic waste in consultation with affected States,

the Administrator, and after the solicitation of views of other interested parties.

(2) REQUIREMENTS OF STUDY.— Such study shall include an analysis of the impact of remote-handled transuranic waste on the performance assessment of WIPP and a comparison of remote-handled transuranic waste with contact-handled transuranic waste on such issues as gas generation, flammability, explosiveness, solubility, and brine and geochemical interactions.

(3) PUBLICATION.— The Secretary shall publish the findings of such study in the Federal Register.

(b) PERFORMANCE ASSESSMENT REPORT.—

(1) IN GENERAL.— The Secretary shall publish a performance assessment report as necessary to demonstrate the long-term performance of WIPP. Each such report shall be provided to the State, the Administrator, the National Academy of Sciences, and the EEG for their review and comment.

(2) RESPONSES BY SECRETARY TO COMMENTS.— If, within 120 days of the publication of a performance assessment report under paragraph (1), the State, the Administrator, the National Academy of Sciences, or the EEG provide written comments on the report, the Secretary shall submit written responses to the comments to the State, the Administrator, the National Academy of Sciences, and the EEG, and to other appropriate entities or persons after consultation with the State, within 120 days of receipt of the comments.

## SEC. 7. DISPOSAL OPERATIONS.

(a) TRANSURANIC WASTE LIMITATIONS.—

(1) REM LIMITS FOR REMOTE-HANDLED TRANSURANIC WASTE.—

(A) 1,000 REMS PER HOUR.— No transuranic waste received at WIPP may have a surface dose rate in excess of 1,000 rems per hour.

(B) 100 REMS PER HOUR.— No more than 5 percent by volume of the remote-handled transuranic waste received at WIPP may have a surface dose rate in excess of 100 rems per hour.

(2) CURIE LIMITS FOR REMOTE-HANDED TRANSURANIC WASTE.—

(A) CURIES PER LITER.— Remote-handled transuranic waste received at WIPP shall not exceed 23 curies per liter maximum activity level (averaged over the volume of the canister).

(B) TOTAL CURIES.— The total curies of the remote-handled transuranic waste received at WIPP shall not exceed 5,100,000 curies.

(3) CAPACITY OF WIPP.— The total capacity of WIPP by volume is 6.2 million cubic feet of transuranic waste.

(b) REQUIREMENTS FOR COMMENCEMENT OF DISPOSAL OPERATIONS.— The Secretary may commence emplacement of transuranic waste underground for disposal at WIPP only upon completion of—

(1) the Administrator's certification under section 8(d)(1) that the WIPP facility will comply with the final disposal regulations;

(2) the acquisition by the Secretary (whether by purchase, condemnation, or otherwise) of Federal Oil and Gas Leases No. NMNM 02953 and No. NMNM 02953C, unless the Administrator determines under section 4(b)(5) that such acquisition is not required; and

(3) the 30-day period beginning on the date on which the Secretary notifies Congress that the requirements of section 9(a)(1) have been met.

## SEC. 8. ENVIRONMENTAL PROTECTION AGENCY DISPOSAL REGULATIONS.

(a) REINSTATEMENT.—

(1) IN GENERAL.— Except as provided in paragraph (2), the disposal regulations issued by the Administrator on September 19,

1985, and contained in subpart B of part 191 of title 40, Code of Federal Regulations, shall be in effect.

(2) EXCEPTIONS.— Paragraph (1) shall not apply to—

(A) the 3 aspects of sections 191.15 and 191.16 of such regulations that were the subject of the remand ordered in *Natural Resources Defense Council, Inc. v. United States Environmental Protection Agency*, 824 F.2d 1258 (1st Cir. 1987); and

(B) the characterization, licensing, construction, operation, or closure of any site required to be characterized under section 113(a) of Public Law 97-425.

(b) ISSUANCE OF REGULATIONS.—

(1) IN GENERAL.— Subject to the limitation in paragraph (2), the Administrator shall issue, not later than 6 months after the date of the enactment of this Act, final disposal regulations. Such regulations shall be issued in a rulemaking proceeding conducted under section 553 of title 5, United States Code, except that sections 556 and 557 of such title shall not apply.

(2) LIMITATION.— The regulations required by this subsection shall not be applicable to the characterization, licensing, construction, operation, or closure of any site required to be characterized under section 113(a) of Public Law 97-425.

(c) ISSUANCE OF CRITERIA FOR CERTIFICATION OF COMPLIANCE WITH DISPOSAL REGULATIONS.—

(1) PROPOSED CRITERIA.— Not later than 1 year after the date of the enactment of this Act, the Administrator shall, by rule pursuant to section 553 of title 5, United States Code, propose criteria for the Administrator's certification of compliance with the final disposal regulations, and sections 556 and 557 of such title shall not apply.

(2) FINAL CRITERIA.— Not later than 2 years after the date of the enactment of this Act, the Administrator shall, by rule pursuant to section 553 of title 5, United States Code, issue final criteria for the Administrator's certification of compliance with the final disposal regulations, and sections 556 and 557 of such title shall not apply.

(d) DISPOSAL REGULATIONS.—

(1) APPLICATION FOR COMPLIANCE.— Within 30 days after the date of the enactment of the Waste Isolation Pilot Plant Land Withdrawal Amendment Act, the Secretary shall provide to Congress a schedule for the incremental submission of chapters of the application to the Administrator beginning no later than 30 days after the date of the submittal of the schedule. The Administrator shall review the submitted chapters and provide requests for additional information from the Secretary as needed for completeness within 45 days of the receipt of each chapter. The Administrator shall notify Congress of such requests. The schedule shall call for the Secretary to submit all chapters to the Administrator no later than October 31, 1996. The Administrator may at any time request additional information from the Secretary as needed to certify, pursuant to paragraph (2), whether the WIPP facility will comply with the final disposal regulations.

(2) CERTIFICATION BY ADMINISTRATOR.— Within 1 year of receipt of the application under paragraph (1), the Administrator shall certify, by rule pursuant to section 553 of title 5, United States Code, whether the WIPP facility will comply with the final disposal regulations, and sections 556 and 557 of such title shall not apply.

(3) JUDICIAL REVIEW.— Judicial review of the certification of the Administrator under paragraph (2) shall not be restricted by the provisions of section 221 c. of the Atomic Energy Act of 1954 (42 U.S.C. 2271(c)).

(4) LIMITATION.— Any certification of the Administrator under paragraph (2) may only be made after the full application has been submitted to the Administrator under paragraph (1).

(e) CONFLICT RESOLUTION.— If the State disagrees with the Secretary's application under subsection (d)(1)(A), the State may invoke the conflict resolution provisions of the Agreement.

(f) PERIODIC RECERTIFICATION.—

(1) BY SECRETARY.— Not later than 5 years after the initial receipt of transuranic waste for disposal at WIPP, and every 5 years thereafter until the end of the decommissioning phase, the Secretary

shall submit to the Administrator and the State documentation of continued compliance with the final disposal regulations.

(2) **CONCURRENCE BY ADMINISTRATOR.**— The Administrator shall, not later than 6 months after receiving a submission under paragraph (1), determine whether or not the WIPP facility continues to be in compliance with the final disposal regulations. A determination under this paragraph shall not be subject to rulemaking or judicial review.

(g) **ENGINEERED AND NATURAL BARRIERS, ETC.**— The Secretary shall use both engineered and natural barriers and any other measures (including waste form modifications) to the extent necessary at WIPP to comply with the final disposal regulations.

## **SEC. 9. COMPLIANCE WITH ENVIRONMENTAL LAWS AND REGULATIONS.**

(a) **IN GENERAL.**—

(1) **APPLICABILITY.**— Beginning on the date of the enactment of this Act, the Secretary shall comply with respect to WIPP, with—

(A) the regulations issued by the Administrator establishing the generally applicable environmental standards for the management and storage of spent nuclear fuel, high-level radioactive waste, and transuranic radioactive waste and contained in subpart A of part 191 of title 40, Code of Federal Regulations;

(B) the Clean Air Act (40 U.S.C. 7401 et seq.);

(C) the Solid Waste Disposal Act (42 U.S.C. 6901 et seq.);

(D) title XIV of the Public Health Service Act (42 U.S.C. 300f et seq.; commonly referred to as the "Safe Drinking Water Act");

(E) the Toxic Substances Control Act (15 U.S.C. 2601 et seq.);

(F) the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.);

(G) all other applicable Federal laws pertaining to public health and safety or the environment; and

(H) all regulations promulgated, and all permit requirements, under the laws described in subparagraphs (B) through (G).

With respect to transuranic mixed waste designated by the Secretary for disposal at WIPP, such waste is exempt from treatment standards promulgated pursuant to section 3004(m) of the Solid Waste Disposal Act (42 U.S.C. 6924(m)) and shall not be subject to the land disposal prohibitions in section 3004(d), (e), (f), and (g) of the Solid Waste Disposal Act.

(2) **PERIODIC OVERSIGHT BY ADMINISTRATOR AND STATE.**— The Secretary shall, not later than 2 years after the date of the enactment of this Act, and biennially thereafter, submit documentation of continued compliance with the laws, regulations, and permit requirements described in paragraph (1) to the Administrator, and, with the law described in paragraph (1)(C), to the State.

(3) **DETERMINATION BY ADMINISTRATOR OR STATE.**— The Administrator or the State, as appropriate, shall determine not later than 6 months after receiving a submission under paragraph (2) whether the Secretary is in compliance with the laws, regulations, and permit requirements described in paragraph (1) with respect to WIPP.

(c) **DETERMINATION OF NONCOMPLIANCE DURING DISPOSAL PHASE AND DECOMMISSIONING PHASE.**—

(1) **DETERMINATION BY THE ADMINISTRATOR.**— If the Administrator determines at any time during the disposal phase or decommissioning phase that the WIPP facility does not comply with any law, regulation, or permit requirement described in subsection (a)(1), the Administrator shall request a remedial plan from the Secretary describing actions the Secretary will take to comply with such law, regulation, or permit requirement.

(d) **SAVINGS PROVISION.**— The authorities provided to the Administrator and to the State pursuant to this section are in addition to the enforcement authorities available to the State pursuant to State law and to

the Administrator, the State, and any other person, pursuant to the Solid Waste Disposal Act (42 U.S.C. 6901 et seq.) and the Clean Air Act (40 U.S.C. 7401 et seq.).

## **SEC. 10. SENSE OF CONGRESS ON COMMENCEMENT OF EMPLACEMENT OF TRANSURANIC WASTE.**

It is the sense of Congress that the Secretary should complete all actions required under section 7(b) to commence emplacement of transuranic waste underground for disposal at WIPP not later than November 30, 1997, provided that before that date all applicable health and safety standards have been met and all applicable laws have been complied with.

## **SEC. 11. MINE SAFETY.**

(a) **MINE SAFETY AND HEALTH ADMINISTRATION.**— The Mine Safety and Health Administration of the Department of Labor shall inspect WIPP not less than 4 times each year and in the same manner as it evaluates mine sites under the Federal Mine Safety and Health Act of 1977 (30 U.S.C. 801 et seq.), and shall provide the results of its inspections to the Secretary. The Secretary shall make the results of such inspections publicly available and shall take necessary actions to ensure the prompt and effective correction of any deficiency, including suspending specific activities as necessary to address identified health and safety deficiencies.

(b) **BUREAU OF MINES.**— The Bureau of Mines of the Department of the Interior shall prepare an annual evaluation of the safety of WIPP.

## **SEC. 12. BAN ON HIGH-LEVEL RADIOACTIVE WASTE AND SPENT NUCLEAR FUEL.**

The Secretary shall not transport high-level radioactive waste or spent nuclear fuel to WIPP or emplace or dispose of such waste or fuel at WIPP.

## **SEC. 13. DECOMMISSIONING OF WIPP.**

The Secretary shall develop a plan for the management and use of the land withdrawal following the decommissioning of WIPP or the termination of the land withdrawal. The Secretary shall consult with the Secretary of the Interior and the State in the preparation of such plan and shall submit such plan to the Congress.

## **SEC. 14. SAVINGS PROVISIONS.**

(a) **CAA AND SWDA.**— Except for the exemption from the land disposal restrictions described in section 9(a)(1), no provision of this Act may be construed to supersede or modify the provisions of the Clean Air Act (42 U.S.C. 7401 et seq.) or the Solid Waste Disposal Act (42 U.S.C. 6901 et seq.).

(b) **EXISTING AUTHORITY OF EPA AND STATE.**— No provision of this Act may be construed to limit, or in any manner affect, the Administrator's or the State's authority to enforce, or the Secretary's obligation to comply with—

(1) the Clean Air Act (42 U.S.C. 7401 et seq.);

(2) the Solid Waste Disposal Act (42 U.S.C. 6901 et seq.), except that the transuranic mixed waste designated by the Secretary for disposal at WIPP is exempt from the land disposal restrictions described in section 9(a)(1); or

(3) any other applicable clean air or hazardous waste law.

## **SEC. 15. ECONOMIC ASSISTANCE AND MISCELLANEOUS PAYMENTS.**

(a) **14-YEAR AUTHORIZATION.**— There are authorized to be appropriated to the Secretary for payments to the State \$20,000,000 for each of the 14 fiscal years beginning with fiscal year 1998. The authorization of appropriations for funds for payments to the State under the preceding sentence shall be separate from any authorization of appropriations of funds for WIPP.

(b) **SUBSEQUENT AUTHORIZATIONS.**— There are authorized to be appropriated to the Secretary, for payments to the State for any fiscal year after the last fiscal year to which subsection (a) applies, such sums as the Congress may, by law, authorize to be appropriated.

(c) **INFLATION ADJUSTMENT.**—

(1) **IN GENERAL.**— In the case of any fiscal year after the first fiscal year to which subsection (a) applies, the dollar amount specified in such subsection shall be increased or decreased, as the case may be, by an amount equal to—

(A) such dollar amount; multiplied by

(B) the inflation increase or decrease determined under paragraph (2).

(2) **CALCULATION OF INFLATION INCREASE OR DECREASE.**— For purposes of paragraph (1), the inflation increase or decrease for any fiscal year is the percentage (if any) by which the inflation index for the preceding fiscal year is greater than or less than, as the case may be, the inflation index for the fiscal year prior to the first fiscal year to which subsection (a) applies.

(3) **INFLATION INDEX.**— For purposes of paragraph (2), the inflation index for any fiscal year is the average of the Consumer Price Index (as published by the Department of Labor) for the 12 months in such fiscal year.

(d) **ELIGIBLE ASSISTANCE.**— A portion of the payments under this section—

(1) shall be made available to units of local government in Lea and Eddy counties in the State; and

(2) may also be provided for independent environmental assessment and economic studies associated with WIPP.

## SEC. 16. TRANSPORTATION.

(a) **SHIPPING CONTAINERS.**— No transuranic waste may be transported by or for the Secretary to or from WIPP, except in packages—

(1) the design of which has been certified by the Nuclear Regulatory Commission; and

(2) that have been determined by the Nuclear Regulatory Commission to satisfy its quality assurance requirements. The determination under paragraph (2) shall not be subject to rulemaking or judicial review.

(b) **NOTIFICATION.**— In addition to activities required pursuant to the Supplemental Stipulated Agreement, prior to any transportation of transuranic waste by or for the Secretary to or from WIPP, the Secretary shall provide advance notification to States and Indian tribes through whose jurisdiction the Secretary plans to transport transuranic waste to or from WIPP.

(c) **ACCIDENT PREVENTION AND EMERGENCY PREPAREDNESS.**—

(1) **TRAINING.**—

(A) **IN GENERAL.**— In addition to activities required pursuant to the Supplemental Stipulated Agreement, the Secretary shall, to the extent provided in appropriation Acts, provide technical assistance and funds for the purpose of training public safety officials, and other emergency responders as described in part 1910.120 of title 29, Code of Federal Regulations, in any State or Indian tribe through whose jurisdiction the Secretary plans to transport transuranic waste to or from WIPP. Within 30 days of the date of the enactment of this Act, the Secretary shall submit a report to the Congress and to the States and Indian tribes through whose jurisdiction the Secretary plans to transport transuranic waste on the training provided through fiscal year 1992.

(B) **ONGOING TRAINING.**— If determined by the Secretary, in consultation with affected States and Indian tribes, to be necessary and appropriate, training described in subparagraph (A) shall continue after the date of the enactment of this Act until the transuranic waste shipments to or from WIPP have been terminated.

(C) **REVIEW OF TRAINING.**— The Secretary shall periodically review the training provided pursuant to

subparagraph (A) in consultation with affected States and Indian tribes. The training shall also be reviewed by the Occupational Safety and Health Administration, and the National Institute for Occupational Safety and Health, for compliance with part 1910.120 of title 29, Code of Federal Regulations.

(D) **COMPONENTS OF TRAINING.**— The training shall cover procedures required for the safe routine transportation of transuranic waste, as well as procedures for dealing with emergency response situations, including—

(i) instruction of government officials and public safety officers in procedures for the command and control of the response to any incident involving the waste;

(ii) instruction of emergency response personnel in procedures for the initial response to an incident involving transuranic waste being transported to or from WIPP;

(iii) instruction of radiological protection and emergency medical personnel in procedures for responding to an incident involving transuranic waste being transported to or from WIPP; and

(iv) a program to provide information to the public about the transportation of transuranic waste to or from WIPP.

(2) **EQUIPMENT.**— The Secretary shall enter into agreements to assist States through monetary grants or contributions in-kind, to the extent provided in appropriation Acts, in acquiring equipment for response to an incident involving transuranic waste transported to or from WIPP.

(d) **TRANSPORTATION SAFETY PROGRAMS.**— The Secretary shall, to the extent provided in appropriation Acts, provide in-kind, financial, technical, and other appropriate assistance to any State or Indian tribe through whose jurisdiction the Secretary plans to transport transuranic waste to or from WIPP, for the purpose of WIPP-specific transportation safety programs not otherwise addressed in this section. These programs shall be developed with, and monitored by, the Secretary.

(e) **SANTA FE BYPASS.**— No transuranic waste may be transported from the Los Alamos National Laboratory to WIPP until—

(1) an amount of funds sufficient to construct the Santa Fe bypass has been made available to the State;

(2) the Santa Fe bypass has been completed; or

(3) the Administrator has made the certification required under section 8(d)(1)(B).

(f) **STUDY OF TRANSPORTATION ALTERNATIVES.**—

(1) **IN GENERAL.**— The Secretary shall conduct a study comparing the shipment of transuranic waste to the WIPP facility by truck and by rail, including the use of dedicated trains, and shall submit a report on the study in accordance with paragraph (2). Such report shall include—

(A) a consideration of occupational and public risks and exposures, and other environmental impacts;

(B) a consideration of emergency response capabilities; and

(C) an estimation of comparative costs.

(2) **REPORT.**— The report required in paragraph (1) shall be submitted to the Congress not later than 1 year after the date of the enactment of this Act.

(g) **EMERGENCY RESPONSE MEDICAL TRAINING.**—

(1) **DETERMINATION OF SECRETARY.**— If the Secretary determines that emergency response medical training for incidents involving transuranic waste being transported to or from WIPP is inadequate, the Secretary shall take immediate action to correct the inadequacies and, if necessary, suspend transportation of such transuranic waste. If the State disagrees with the Secretary's determination under this paragraph, the State may invoke the conflict resolution provisions of the Agreement.

(2) **STATE ADVISORY GROUP.**— The Secretary shall encourage the Governor of the State to appoint, within 30 days after the date of the enactment of this Act, an advisory group of health professionals and other experts in the field to review emergency response medical training programs for incidents involving transuranic

waste being transported to or from WIPP. If such advisory group is established—

(A) its purpose shall be to review, within 60 days after its establishment and annually thereafter, the Department of Energy's emergency response medical training programs for incidents involving transuranic waste being transported to or from WIPP, and to report its findings to the State, the Secretary of Labor, acting through the Occupational Safety and Health Administration, and the Secretary; and

(B) the Secretary shall review the findings of the advisory group in consultation with the Secretary of Labor, acting through the Occupational Safety and Health Administration.

#### SEC. 17. ACCESS TO INFORMATION.

(a) IN GENERAL.— The Secretary shall—

(1) provide the State, the National Academy of Sciences, and the EEG with free and timely access to data relating to health, safety, or environmental issues at WIPP;

(2) provide the State and the EEG with preliminary reports relating to health, safety, or environmental issues at WIPP; and

(3) to the extent practicable, permit the State and the EEG to attend meetings relating to health, safety, or environmental issues at WIPP with expert panels and peer review groups.

(b) EVALUATION AND PUBLICATION.— The State, the National Academy of Sciences, and the EEG may evaluate and publish analyses of the Secretary's plans for test phase activities, monitoring, transportation, operations, decontamination, retrieval, performance assessment, compliance with Environmental Protection Agency regulations, decommissioning, safety analyses, and other activities relating to WIPP.

(c) CONSULTATION AND COOPERATION.— The Secretary shall consult and cooperate with the EEG under the terms of Contract No. DE-AC04-89AL53309 in the performance of its responsibility to conduct an independent technical review and evaluation of WIPP under section 1433 of the National Defense Authorization Act, Fiscal Year 1989 (102 Stat. 2073).

#### SEC. 18. JUDICIAL REVIEW OF EPA ACTIONS.

A civil action for judicial review of any final action of the Administrator under this Act may be brought only in the United States Court of Appeals for the Tenth Circuit or for the District of Columbia, and shall be brought not later than the 60th day after the date of such final action.

#### SEC. 19. TECHNOLOGY STUDY.

Within 3 years after the date of the enactment of this Act, the Secretary shall submit to the Congress a study reviewing the technologies that are available and that are being developed for the processing or reduction of volumes of radioactive wastes. The study shall include an identification of technologies involving the use of chemical, physical, and thermal (including plasma) processing techniques.

#### SEC. 20. STATEMENT FOR PURPOSES OF PUBLIC LAW 96-164.

For purposes of subsection (c) of section 213 of the Department of Energy National Security and Military Applications of Nuclear Energy Authorization Act of 1980 (Pub. L. 96-164; 93 Stat. 1265), this Act shall be considered to amend such section.

#### SEC. 21. CONSULTATION AND COOPERATION AGREEMENT.

Nothing in this Act shall affect the Agreement or the Supplemental Stipulated Agreement between the State and the United States Department of Energy except as explicitly stated herein.

#### SEC. 22. BUY AMERICAN REQUIREMENTS.

(a) COMPLIANCE WITH BUY AMERICAN ACT.— No funds appropriated or transferred pursuant to this Act may be expended by an entity unless the entity agrees that in expending the assistance the entity will comply with sections 2 through 4 of the Act of March 3, 1933 (41 U.S.C. 10a-10c, popularly known as the "Buy American Act").

(b) PURCHASE OF AMERICAN-MADE EQUIPMENT AND PRODUCTS.—

(1) IN GENERAL.— In the case of any equipment or product that may be authorized to be purchased with financial assistance provided under this Act, it is the sense of the Congress that entities receiving the assistance should, in expending the assistance, purchase only American-made equipment and products.

(2) NOTICE TO RECIPIENTS OF ASSISTANCE.— In providing financial assistance under this Act, the Secretary shall provide to each recipient of the assistance a notice describing the statement made in paragraph (1) by the Congress.

#### SEC. 23. AUTHORIZATIONS OF APPROPRIATIONS.

(a) FOR ADMINISTRATOR.—

(1) IN GENERAL.— There are authorized to be appropriated to the Administrator for the purpose of fulfilling the responsibilities of the Administrator under this Act, \$10,000,000 for fiscal year 1992, \$12,000,000 for fiscal year 1993, \$14,000,000 for fiscal year 1994, and such sums as may be necessary for fiscal years 1995 through 2001.

(2) REPORT.— The Administrator shall, not later than September 30, 1993, and annually thereafter, issue a report to the Congress on the status of and resources required for the fulfillment of the Administrator's responsibilities under this Act.

(b) TRANSFERS FROM SECRETARY TO ADMINISTRATOR AND SECRETARY OF LABOR.— The Secretary is authorized to transfer from amounts appropriated for environmental restoration and waste management for fiscal years 1992 and 1993, and (to the extent approved in appropriation Acts) for fiscal years 1994 through 2001, such sums as may be necessary to fulfill the responsibilities of the Administrator under this Act and the Secretary of Labor under, paragraphs (4) and (6) of section 6(b).

(c) ACQUISITION OF LEASEHOLD.— There are authorized to be appropriated to the Secretary such sums as may be necessary to acquire the Federal Oil and Gas Leases No. NMNM 02953 and No. NMNM 02953C.

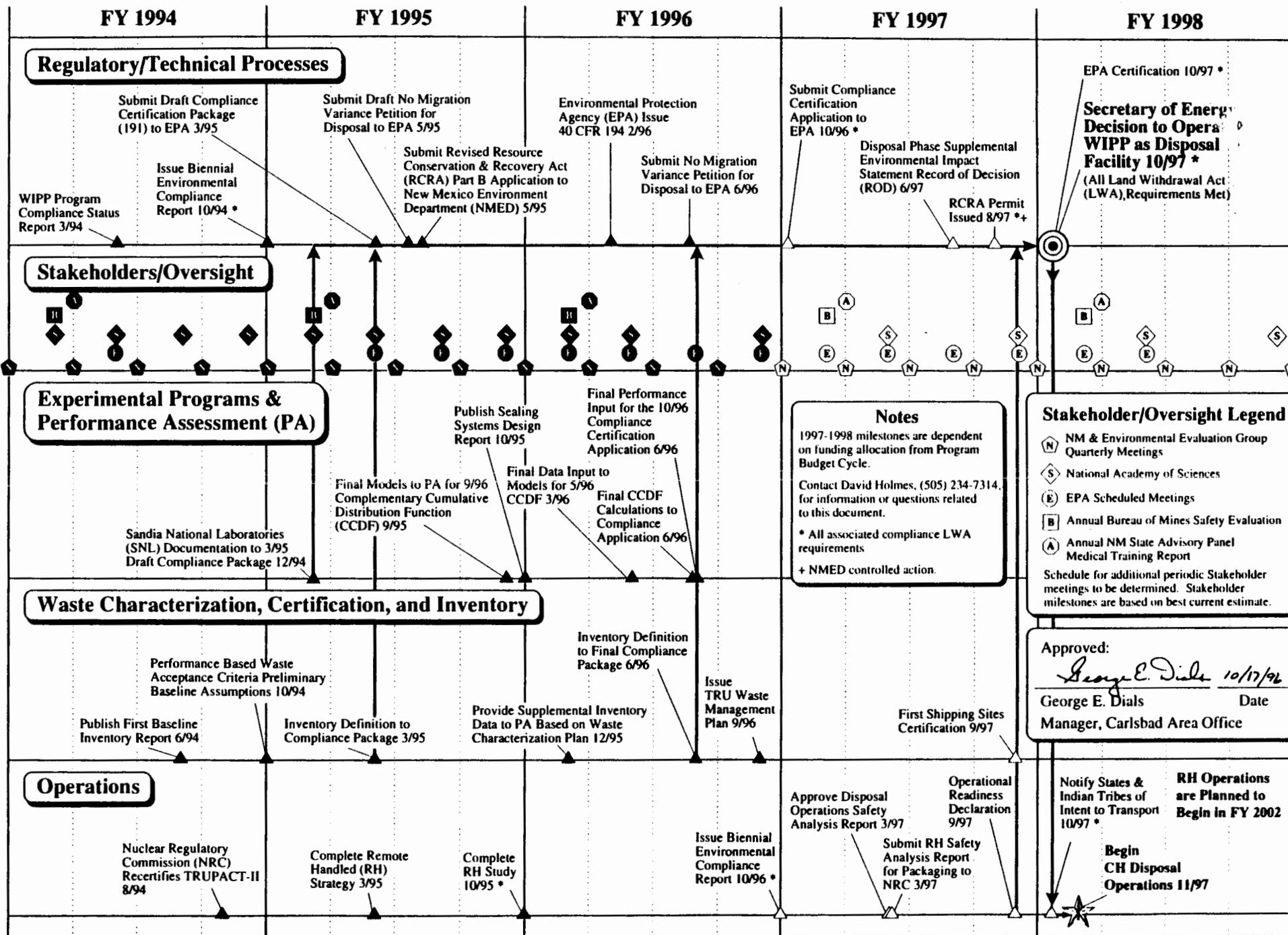
Approved October 30, 1992.

Amended September 23, 1996.

## Appendix J

# WIPP Disposal Decision Plan

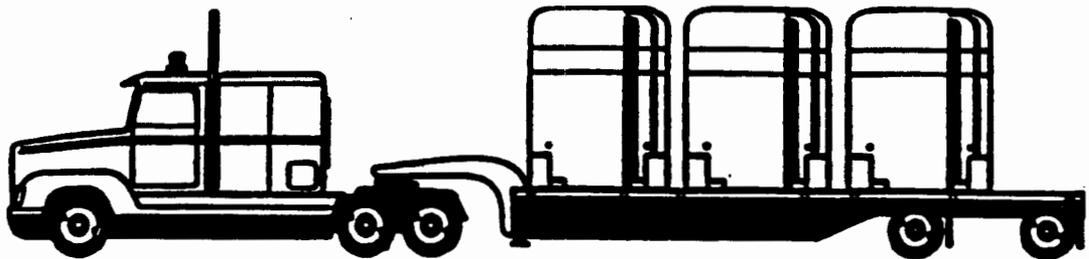
Revision 3  
October 17, 1996



## Appendix K

# Western Governors' Association

## WIPP Transportation Safety Program Implementation Guide



Prepared Cooperatively by:

Western Governors' Association  
Technical Advisory Group  
For WIPP Transport

and the

U.S. Department of Energy  
Carlsbad Area Office

November 1995



WESTERN  
GOVERNORS'  
ASSOCIATION

## Statement of Purpose

The Western Governors' Association (WGA) Technical Advisory Group for Waste Isolation Pilot Plant (WIPP) Transport, in cooperation with the U.S. Department of Energy (DOE), developed this *WIPP Transportation Safety Program Implementation Guide* (Guide). It presents the overall transportation issues, objectives, approaches and procedures which were agreed to by the ten western corridor state Governors and DOE through a Memorandum of Agreement signed in 1995. These issues, objectives, approaches and procedures govern the conduct of the transport of contact handled transuranic waste through the western states to WIPP near Carlsbad, New Mexico.

This Guide is based upon WGA policy resolutions, enhanced safety standards, DOE orders and guidelines, and a carrier contract agreement. It includes procedures developed cooperatively by the WGA Technical Advisory Group and the DOE Carlsbad Area Office. It was prepared under a DOE-WGA Cooperative Agreement. WGA, through its Technical Advisory Group, provides a forum in which the ten western corridor states, the Carlsbad Area Office and the DOE Headquarters staff cooperatively work to coordinate the implementation of programs and activities focused on the safe and uneventful transport of transuranic waste from DOE facilities to WIPP.

This Guide, and supporting documents, address accident prevention, medical preparedness, emergency response preparedness, public information, and route designation. The states, the Carlsbad Area Office and DOE Headquarters prepared specific procedures to implement the principles and objectives. These are referenced at the end of each section. Remaining documents, standards and procedures necessary to conduct the program will be completed as part of the Cooperative Agreement between WGA and the Carlsbad Area Office before shipments begin in 1998.

WGA, the ten western corridor states, the Carlsbad Area Office and DOE Headquarters will routinely evaluate the procedures and standards contained in this Guide. Procedures and standards will be revised as necessary to reflect the changing context over the ramp up for initial shipments in 1998 and during the thirty year shipping campaign. An annual review of the Guide will also be performed to incorporate changes and modifications made in the procedures and standards. WGA will distribute updated materials to participating western state officials, the Carlsbad Area Office, DOE Headquarters and other appropriate agencies.

# Table of Contents

Statement of Purpose .....	i
List of Acronyms .....	iv
Introduction .....	v
High-Quality Drivers and Carrier Compliance .....	I-1
Independent Inspections .....	II-1
Bad Weather and Road Conditions .....	III-1
Safe Parking During Abnormal Conditions .....	IV-1
Advance Notice of WIPP Shipments/Shipment Status Information .....	V-1
Medical Preparedness .....	VI-1
Mutual Aid Agreements .....	VII-1
Emergency Response Plans & Procedures .....	VIII-1
Emergency Response Equipment .....	IX-1
Training and Exercises .....	X-1
Public Information and Participation .....	XI-1
Highway Routing of WIPP Shipments .....	XII-1
Program Evaluation .....	XIII-1

## List of Tables

Introductory Materials .....	x
Table 1: High-Quality Drivers and Carrier Compliance .....	I-3
Table 2: Independent Inspections .....	II-3
Table 3: Bad Weather and Road Conditions .....	III-3

Table 4: Safe Parking During Abnormal Conditions .....	IV-3
Table 5: Advance Notice of WIPP Shipments/Shipment Status Information .....	V-3
Table 6: Medical Preparedness .....	VI-4
Table 7: Mutual Aid Agreements .....	VII-3
Table 8: Emergency Response Plans & Procedures .....	VIII-3
Table 9: Emergency Response Equipment .....	IX-3
Table 10: Training and Exercises .....	X-3
Table 11: Public Information and Participation .....	XI-3
Table 12: Highway Routing of WIPP Shipments .....	XII-4
Table 13: Program Evaluation .....	XIII-3

## List of Figures

<b>Figure 1 – TRUPACT-II .....</b>	<b>viii</b>
<b>Figure 2 – Cut-Away View of TRUPACT-II .....</b>	<b>viii</b>
<b>Figure 3 - DOE's Proposed Truck Routes .....</b>	<b>ix</b>

## List of Acronyms

CH	Contact Handled
CMR	Central Monitoring Room
CVSA	Commercial Vehicle Safety Alliance
DOD	U.S. Department of Defense
DOE	U.S. Department of Energy
DOE-CAO	U.S. Department of Energy Carlsbad Area Office
DOT	U.S. Department of Transportation
EPA	U.S. Environmental Protection Agency
FEMA	Federal Emergency Management Agency
FHWA	Federal Highway Administration
Guide	WIPP Transportation Safety Program Implementation Guide
HRCQ	Highway Route Controlled Quantities
OSHA	U.S. Occupational Safety and Health Administration
PPE	Personal Protective Equipment
REAC/TS	Radiation Emergency Assistance Center/Training Site
RH	Remote Handled
TCC	TRANSCOM Control Center
SCBA	Self Contained Breathing Apparatus
STEP	States Training and Education Program
TETRA	Transportation Emergency Training for Response Assistance
TRANSAX	Transportation Accident Exercise
TRANSCOM	Transportation Tracking and Communications System
TRU	Transuranic
TRUPACT-II	Transuranic Packaging Transporter
WGA	Western Governors' Association
WIEB	Western Interstate Energy Board
WIPP	Waste Isolation Pilot Plant
WIPPTREX	Waste Isolation Pilot Plant Transportation Emergency Exercise

# Introduction

## Western Governors' Association WIPP Transportation Safety Program

The Waste Isolation Pilot Plant (WIPP) shipping campaign will include over 30,000 transuranic waste shipments to the WIPP repository in southeastern New Mexico during its 30-year operational life. These shipments, originating at ten U.S. Department of Energy (DOE) sites throughout the United States, will traverse at least 23 states and the lands of at least 30 sovereign Tribal governments. Because of the large number of shipments, the considerable mileage to be logged, and the hazardous nature of the cargo, every reasonable precaution must be taken to ensure adequate protection of public health and the environment. Moreover, public confidence in the safety of the WIPP shipping campaign requires the highest standards for incident prevention and emergency preparedness.

Recognizing that corridor states have substantial responsibility in ensuring the safety of their residents and for responding to any incident which might occur, the western Governors unanimously adopted policy Resolution 92-004 in 1992. This resolution states: "The objective of the Western Governors' Association (WGA) is the safe and uneventful transportation of nuclear waste from current temporary storage facilities to more suitable interim or permanent repositories. The western Governors are committed to working with Congress and DOE to achieve this objective."

In 1989, WGA established its Technical Advisory Group for WIPP Transport (Technical Advisory Group) to work toward achieving this objective. The Technical Advisory Group originally consisted of representatives from the seven states along the initial transportation corridor to WIPP: New Mexico, Colorado, Wyoming, Utah, Idaho, Oregon, and Washington. The group was later expanded to include California, Nevada, and Arizona, states through which shipments to WIPP will begin after 1998.

Initial funding was provided through a 1988 Cooperative Agreement with the U.S. Department of Transportation (DOT). In 1989 the Technical Advisory Group prepared a *Report to Congress* describing the needs of the states to prepare for WIPP shipments in the following areas:

## Accident Prevention

- High-Quality Drivers and Carrier Compliance
- Independent Inspections
- Bad Weather and Road Conditions
- Safe Parking During Abnormal Conditions
- Advance Notice of Shipments
- Access to Information on Shipment Status

## Emergency Preparedness

- Mutual Aid Agreements
- Emergency Response Plans and Procedures
- Training and Retraining
- Emergency Response Equipment

## Public Involvement and Information

The Secretary of Energy agreed with the conclusions in the 1989 *Report to Congress* and directed DOE to enter into a five-year Cooperative Agreement with WGA. Working with DOE, the states developed a model program to help ensure that WIPP shipments are "safe and uneventful." The elements of this program are described in this Guide, and generally follow the outline from the *Report to Congress*. The Technical Advisory Group updated the *Report to Congress* with a 1991 *Report to the Western Governors and Secretary of Energy*. The Technical Advisory Group identified Medical Preparedness and Highway Routing as additional areas to be addressed. These are included in this Guide.

In 1995, the ten western corridor state Governors and the Assistant Secretary of Energy for Environmental Management signed a Memorandum of Agreement to implement the principles and standards contained within this Guide. These principles and standards are designed to help achieve the Governors' objective of the "safe and uneventful transportation of nuclear waste" through the western states. They were cooperatively developed by the western corridor states, the DOE Carlsbad Area Office (CAO), and DOE Headquarters.

Each section of the Guide contains a summary context statement describing the issue, the objective, the approach and the evaluation used by DOE and the WGA corridor states for each program element. A summary table which provides information about the key documents and associated reference materials is included in each section.

## Transuranic Waste

Transuranic wastes are discarded materials that have been generated from nuclear weapons production, research and development since the 1940s. This waste is

contaminated with man-made radioactive materials with atomic numbers greater than uranium, such as plutonium, americium, and curium.

Transuranic waste is officially defined as waste contaminated with alpha-emitting radionuclides, having atomic numbers greater than 92 and with half-lives greater than 20 years in concentrations greater than 100 nanocuries per gram of waste. These wastes include such materials as laboratory clothing, tools, glove boxes, plastics, rubber gloves, wood, metals, glassware and solidified waste water sludges contaminated with transuranic materials. Some of these wastes contain hazardous chemical constituents (e.g., carbon tetrachloride, lead, toluene, xylene). These wastes are called "mixed" transuranic waste.

Transuranic waste shipments pose a range of potential hazards with inhalation being the primary hazard. Inhalation of certain transuranic materials, such as plutonium, even in microgram quantities, could deliver significant internal radiation doses to the body. The principal focus of the Technical Advisory Group is to reduce the chance and severity of an incident through stringent transportation safety procedures.

### Waste Isolation Pilot Plant

DOE constructed WIPP in southeastern New Mexico, 26 miles east of Carlsbad. The WIPP underground facility, which is 2,150 feet below the land surface in a 3,000 foot-thick bedded salt formation, was constructed as a research and development facility to demonstrate the safe disposal of transuranic waste from DOE defense facilities and private contractor sites. The surface facilities needed to initiate operations are complete, with underground preparations continuing for initial waste emplacement. The waste proposed to be disposed of at WIPP is waste generated after 1970 from defense-related plutonium reprocessing and fabrication and defense-related research activities at DOE facilities.

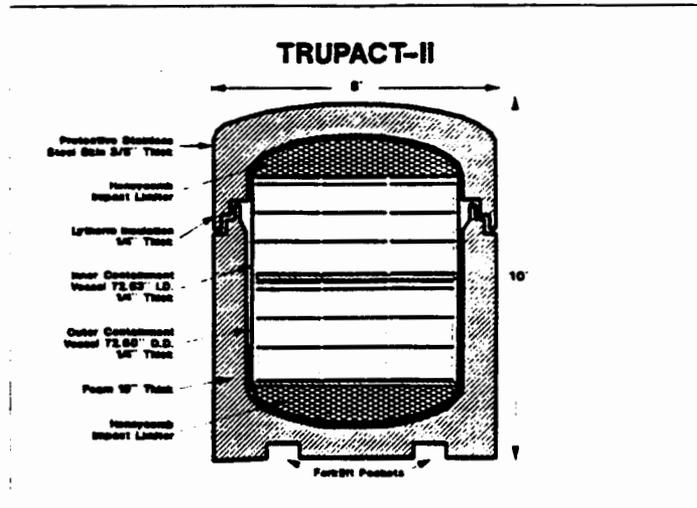
The greatest percentage of waste planned for disposal at the WIPP site, by volume (95 percent), is contact handled (CH) waste, which primarily emits alpha radiation. This type of radiation cannot penetrate human skin. Therefore, external exposure to alpha radiation from contamination is usually not serious because of the protection by the skin. CH waste has radiation dose rates at the package surface of 200 millirem per hour or less and can be safely contact-handled.

## Transportation System

All CH waste will be transported to WIPP in the Transuranic Packaging Transporter (TRUPACT-II), a reusable shipping package. A typical shipment of three TRUPACT-II containers loaded on a transport vehicle is shown in **Figure 1**. A cut-away view of the TRUPACT-II is shown in **Figure 2**. The U.S. Nuclear Regulatory Commission (NRC) certified that this is a Type B Package according to 10 CFR 71. As part of the certification process, full-scale TRUPACT-II prototypes were subjected to actual drop and fire tests to prove their ability to survive severe incident conditions. The test results were also used to improve the design of the closure seals.



**Figure 1 - TRUPACT-II Transport Vehicle**



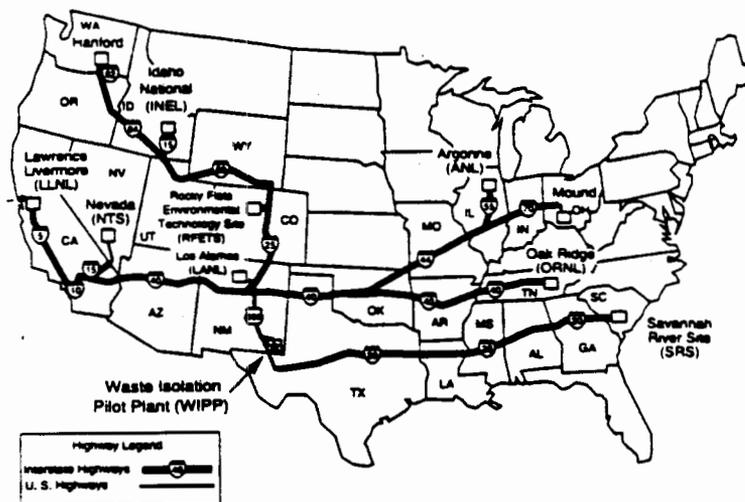
**Figure 4 - Cut-Away View of TRUPACT-II**

The TRUPACT-II is a cylindrical metal container with a flat bottom and a domed top that is transported in an upright position. A multi-layered wall design increases the package strength and provides the ability to withstand potential transportation incidents. Inside the TRUPACT-II, the CH waste will be sealed in 55-gallon steel drums or standard waste boxes. Each TRUPACT-II can hold up to 14 55-gallon drums or two standard waste boxes. The loaded TRUPACT-II containers will be mounted on specially designed trailers and pulled by conventional diesel-powered tractors. Once regular operations begin, three TRUPACT-II containers mounted on a trailer will make up a full shipment as shown on the cover of this document. Some shipments may, however, consist of one or two TRUPACT-IIs.

In 1988, DOE awarded a five-year contract to a commercial carrier for truck transport of transuranic waste to WIPP. This is a dedicated contract carrier. In 1995, DOE awarded a new contract to CAST Transportation, Inc.

An important feature of the WIPP transportation system is the Transportation Tracking and Communications System (TRANSCOM), a combination of navigation, satellite communication and computer network technologies to monitor the movement of transuranic waste shipments to WIPP.

The currently proposed routes to be used for truck transport of transuranic waste from the ten defense facilities to WIPP are shown in **Figure 3**. In selecting these routes, DOE voluntarily agreed to use applicable DOT regulations (49 CFR 397). The routes are predominantly Interstate System highways. Where available, shipments will use beltways around urban areas. These routes are subject to change since some states may designate alternate preferred routes prior to WIPP shipments in their state.



**Figure 6 - DOE's Proposed Truck Routes**

Five percent of the WIPP waste is classified as remote handled (RH) waste, which contains isotopes that emit beta and gamma radiation and also alpha radiation. This waste has a package surface radiation dose rate exceeding 200 millirem per hour and must be remotely handled. RH waste requires heavy shielding for safe handling and storage. The procedures and standards presented in this Guide were developed for CH waste. Additional work will be required to address safe transportation issues related to RH shipments.

WIPP transportation safety planning to date has been based on the assumption that all waste shipments will be by truck. However, WIPP is accessible by rail, and the 1992 WIPP Land Withdrawal Act required DOE to evaluate the feasibility and impacts of shipping transuranic wastes to WIPP by rail. If DOE should decide to ship either waste type by rail, the transportation safety program would have to be significantly revised.

# Introductory Materials

Documents	Responsible for Updates	Status
<b>Documents included in Guide</b>		
<i>Western Governors' Association Resolution 92-004, WGA, 1992.</i>	WGA	Final
<i>Western Governors' Association Resolution 89-006 (Readopted 1993), WGA, 1993.</i>	WGA	Final
<i>Report to Congress—Transport of Transuranic Wastes to the Waste Isolation Pilot Plant: State Concerns and Proposed Solutions, WGA Working Group on Nuclear Wastes, June 1989.</i>	WGA	Final
<i>Report to the Western Governors and Secretary of Energy, WGA Technical Advisory Group, June 1991.</i>		
<b>Documents to be prepared</b>		
<i>Report to the Western Governors and Secretary of Energy, 1995.</i>		
<b>Reference material</b>		
<i>WGA/DOE Cooperative Agreement, No. DE-FC04-90AL65416, as amended.</i>	WGA/DOE	Final

## Section 1: High-Quality Drivers and Carrier Compliance

Lead States: Colorado, New Mexico

**The Issue:** Highly qualified, well-trained drivers; diligent vehicle maintenance; carrier compliance with regulations; and enhanced carrier and driver performance requirements can greatly reduce the risk and consequences of truck incidents.

**The Objective:** Establish, implement and maintain an enhanced carrier contract and management plan for the WIPP carrier focussing on high quality drivers and vehicles.

**The Approach:** Although the possibility of incidents cannot be eliminated, it can be significantly reduced by requiring stringent driver qualifications and training; through strict adherence to all applicable laws and regulations; and provisions in the carrier transportation contract to enhance safety and performance.

In 1988 DOE, through their facility management contractor, Westinghouse Waste Isolation Division, awarded a five-year contract to a commercial carrier for truck transport of transuranic waste to WIPP. DOE subsequently extended this contract through 1995. DOE awarded a new contract to CAST Transportation, Inc. in 1995. This is a dedicated contract carrier. A long-term contract with one carrier using dedicated drivers and equipment will best ensure compliance with safety procedures and enhance public confidence. Because of federal procurement requirements and program schedule changes, different carriers and different contracting approaches may be used by DOE in the future. DOE has stated, however, that future carrier contracts will include the same safety requirements regarding drivers, equipment, facilities, records, plans, and procedures.

The Technical Advisory Group prepared suggested requirements for the WIPP transportation contract and the carrier's management plan. The contract and management plan include enhancements for driver qualifications, driver performance requirements, driver training, carrier requirements, inspection requirements, and vehicle maintenance requirements. These and other safety requirements are described in detail in *Model Safety Elements in the WIPP Transportation Contract and Corresponding Carrier Management Plan*.

The Technical Advisory Group will participate in any future carrier selection process (*i.e.*, through solicitation review and the evaluation of responses), the development of contract requirements, and development and revision of the carrier's transportation management plan. The western states are committed to ensuring DOE-contractor compliance with the letter and intent of all transportation safety requirements governing the campaign.

**Evaluation:** The Technical Advisory Group established a Compliance Audit Program to verify compliance by DOE and its contract transportation carrier with all applicable laws, regulations, and other requirements. This program involves regularly scheduled site visits to the carrier's facilities by a designated state authority where record keeping audits and other inspection functions are performed. Audit checklists that identify applicable statutory, regulatory, and contractual requirements, were developed for use during the audit process. These checklists have been reviewed, modified and approved by the Technical Advisory Group and by the DOE and the contract carrier.

In the past, the New Mexico Motor Transportation Division conducted compliance audits on a semi-annual basis on behalf of the other states. With the award of the contract to CAST Transportation, Inc., Colorado will conduct the audits. The frequency of the audits and the check lists will be reassessed periodically by the Technical Advisory Group. Consultation and coordination with DOE, its contractors/subcontractors, DOT, and other interested and affected entities will remain an important, integral component of the *Compliance Audit Program*.

As described in the next section, the Commercial Vehicle Safety Alliance (CVSA) is conducting a pilot study on inspection of vehicles carrying radiological materials. For vehicles included in the study, drivers complete the *DOE/CVSA Pilot Study Point of Destination Driver Interview Form* at the end of each trip. This form is included in this Guide.

On an annual basis the lead states will review whether revisions are required to the checklists to incorporate any changes in the applicable transportation requirements. Proposed revisions will be presented to the Technical Advisory Group, DOE and its carrier for their consideration and approval. Upon approval, the checklists will be revised accordingly and used during subsequent compliance audits.

The lead states will prepare and analyze all audit reports. These reports will be analyzed both individually (on a semi-annual basis) and collectively (on a biennial basis). A summary of the results of each semi-annual audit will be presented at the first quarterly meeting of the Technical Advisory Group following each such audit. Audit exceptions, along with recommendations for correcting identified deficiencies, will be discussed at the meeting. Appropriate corrective actions will be pursued based on the consensus of the DOE and the Technical Advisory Group.

**Table 1: High-Quality Drivers and Carrier Compliance**

Lead States: Colorado, New Mexico

Documents	Responsible for Updates	Status
<b>Documents included in Guide</b>		
<i>Model Safety Elements in the WIPP Transportation Contract and Corresponding Carrier Management Plan, New Mexico, March 1995.</i>	NM	Draft
<i>WIPP Driver Checklist, New Mexico Motor Transportation Division (NM MTD).</i>	NM MTD	Final
<i>WIPP Vehicle (Tractor/Trailer) Checklist, New Mexico Motor Transportation Division.</i>	NM MTD	Final
<i>DOE/CVSA Pilot Study Point of Destination Driver Interview Form, CVSA, November 1991.</i>	CVSA	Final
<b>Reference material</b>		
<i>Subcontract for the Transportation of Transuranic Waste to the WIPP, Subcontract No. 75WTD629269MZ, Westinghouse Electric Corporation/Waste Isolation Division, Carlsbad, New Mexico, November 1994.</i>	DOE	Final
<i>Management Plan for the Transportation of Transuranic Waste to the WIPP, Revision XVI, Dawn Enterprises, Inc, Farmington, New Mexico, October 1994.</i>	DOE	Final
<i>WIPP contract Carrier Evaluation Results from the U.S. Department of Energy/Transportation Management Division's Motor Carrier Evaluation Program, Westinghouse Hanford Company, Richland, Washington.</i>	DOE	Final

Documents	Responsible for Updates	Status
<i>WIPP Contract Carrier Audit Results using the WIPP Vehicle and Driver Checklists from the WGA Technical Advisory Group's Compliance Audit Program, New Mexico Taxation and Revenue Department/Motor Transportation Division, Santa Fe, New Mexico.</i>	NM MTD	Ongoing

## Section 2: Independent Inspections

Lead States: Washington, New Mexico

**The Issue:** A quality, independent inspection program assures that drivers and vehicles perform at optimum levels and that radiation levels are within allowable limits.

**The Objective:** Reduce the chance of incidents from mechanical failure or human error by identifying and correcting defects before they pose a threat to shipment safety.

**The Approach:** Inspection and enforcement activities for radioactive material transportation are shared by federal and state agencies. Implementation of the inspection program by state personnel will provide independent verification of regulatory compliance, enhancing public confidence in the safety of the WIPP shipping campaign. DOE selected the CVSA, an organization of international officials responsible for the administration and enforcement of motor carrier safety laws, to develop the inspection and enforcement program. CVSA has since developed the uniform inspection procedures and a model agreement for inspection reciprocity for radioactive material shipments.

These inspection procedures were developed with the assistance of the Conference of Radiation Control Program Directors. The procedures provide uniform standards for radiation surveys, inspection of drivers, shipping papers, vehicle, and package. The standards also provide for vehicle inspections at points of origin and destination, which minimize the need for en route inspections. The enhanced inspection procedures also require a higher level of out-of-service criteria than the North American Inspection Standards. CVSA has trained state inspectors on these procedures. State inspection officers must be equipped with radiation detection instruments to complete the radiological portion of the CVSA enhanced inspection.

CVSA will continue to evaluate the recommended procedures and provide training. Other radioactive waste shipping campaigns (e.g., cesium) are also being used as part of the pilot study.

A comprehensive interstate inspection program should be based on a process which is consistent from state to state in training, procedures, and application. The CVSA Enhanced Inspection Criteria meet these consistency requirements. The WGA WIPP corridor states will inspect WIPP shipments using the CVSA Enhanced Inspection Criteria. DOE has agreed that WIPP transport vehicles will comply with the out-of-service standards of these criteria.

**Evaluation:** Evaluation criteria are necessary to ensure that the personnel completing the WIPP shipment inspections are competent and the inspections completed are of high quality. The validity of the CVSA Enhanced North American Inspection Standards will be tested using appropriate DOE shipping campaigns, including the cesium capsule return campaign. The CVSA will conduct an evaluation of the technical data from the various shipping campaigns and provide this information to WGA. In addition, the lead states will prepare a summary report at the conclusion of the various shipping campaigns based upon a survey of participating states. This report will include:

- Number of shipments inspected
- Dates and times of inspections
- Anomalies in the vehicle and driver inspection record
- Consistency in procedure and application
- Identified problems in procedure and application
- Identified shortfalls in training and equipment

This information will be used to help prepare recommended frequency and locations for the inspections other than point of origin and point of destination. The Technical Advisory Group will review the CVSA technical data and the after action-report prepared by the lead states. Findings will be used to improve the inspections of WIPP shipments.

Table 2: Independent Inspections

Lead States: Washington, New Mexico

Documents	Responsible for Updates	Status
Documents included in Guide		
<i>CVSA Pilot Study Summary, CVSA, 1995.</i>	CVSA	Final
<i>CVSA/DOE Spent Fuel/Transuranic/High Level Radioactive Waste Pilot Study Inspection Form, CVSA.</i>	CVSA	Final
<i>Listing of State Inspection Requirements, Responsible Agencies, and Location of Inspection Stations, Washington, March 1995.</i>	WA	Draft
Reference material		
<i>Washington/Oregon MOU for Inspection of Radioactive Waste.</i>	WA/OR	Final
<i>Washington/Oregon Procedures for Implementing the MOU.</i>	WA/OR	Final
<i>Washington Inspection Coordination Procedures.</i>	WA	
<i>Recommended National Procedures for the Enhanced Safety Inspection of Commercial Highway Vehicles Transporting Transuranics, Spent Fuel, and High-Level Radioactive Wastes, CVSA, May 1993.</i>	CVSA	Final
<i>CVSA Training Course Information.</i>	CVSA	Final

## Section 3: Bad Weather and Road Conditions

Lead States: Wyoming, Oregon

**The Issue:** Bad weather and road conditions create hazardous travel conditions.

**The Objective:** Ensure that WIPP shipments avoid bad weather and hazardous roads by carefully monitoring road and weather conditions and restricting travel when adverse conditions pose a threat to shipment safety.

**The Approach:** Before dispatch, the WIPP Central Monitoring Room (CMR) operator, the shipper and both vehicle drivers must agree that travel conditions are acceptable for a WIPP shipment. If not, the vehicle may not be dispatched until conditions improve.

Current weather conditions, the weather forecast, and road conditions must be acceptable before dispatching a shipment. Conditions at the point of origin and along the entire route should be considered. A shipment should not be dispatched if the forecast predicts severe weather or bad road conditions which would affect the safety of the shipment when the shipment is anticipated to be in that area.

States should monitor the status of WIPP shipments using the Transportation Tracking and Communications System (TRANSCOM) when adverse weather and road conditions are occurring. This will allow states to notify DOE that a shipment should not be dispatched or that a shipment should be diverted to a safe parking location to avoid bad weather or road conditions. This cooperative effort among DOE, its contractors, and the states will provide additional safeguards which allow WIPP shipments to avoid adverse road and weather conditions without causing undue delay to the shipments. DOE and each State must develop standardized procedures to carry out these policies.

**Evaluation:** Standards governing dispatch of the shipments and continued travel while en route must be evaluated to confirm that they achieve the objective without being unduly restrictive. The CMR, TRANSCOM Control Center (TCC), and each state must have specific procedures in place.

The evaluation of these procedures will consist of two parts: an evaluation of the process to get information and make the decision to dispatch a shipment and an evaluation of the procedures to avoid bad weather and road conditions while a shipment is en route. To complete this evaluation, exercises will be conducted using actual trips of the TRUPACT-II transport vehicle. Bad weather or road conditions may be simulated during the exercises to ensure complete evaluation of the procedures. The lead states will prepare specific evaluation criteria and reporting forms for each exercise. The exercise described in *Evaluation of Bad Weather and Safe Parking Procedures: Cesium Transportation Plan* provides an example of this evaluation

process. Upon the conclusion of each exercise, the lead states will prepare a report for that exercise with suggested corrective actions for TCC, CMR, and each participating state to consider.

On an annual basis, lead states will evaluate the effectiveness of the standards based upon the exercises and a survey of participating states, DOE, and the carrier. All contact names and telephone numbers will be verified and updated as necessary. A revised and updated procedures document will be prepared and distributed.

An evaluation should be conducted in each state along the route before actual shipments begin. Once shipments begin, an evaluation along the initial route should be conducted before the onset of winter weather. Each bad weather or road condition event that occurs during actual shipments should also be evaluated. Participating states should complete a *TRANSCOM Operators Report of Unusual Conditions* whenever bad weather or road condition procedures are implemented. These reports will be evaluated by the lead states when they are submitted to ensure that the standards and procedures were effective for the incident reported. The lead states will prepare suggested changes or improvements to the procedures to correct any critical problems encountered.

**Table 3: Bad Weather and Road Conditions**

Lead States: Wyoming, Oregon

Documents	Responsible for Updates	Status
<b>Documents included in Guide</b>		
<i>Procedures and Protocols for Bad Weather and Road Conditions for WIPP Shipments (Revision 2), Richard C. Moore, Cheyenne, Wyoming, January 1992.</i>	WY	Final
<i>TRANSCOM Operators Record of Unusual Event, Wyoming, January 1992.</i>	WY	Final
<b>Reference material</b>		
<i>Guidance for Development of State Procedures for Implementing Procedures and Protocols for Bad Weather and Road Conditions for WIPP Shipments, Richard C. Moore, Cheyenne, Wyoming, January 1992.</i>	WY	Final
<i>Model State Procedures for Implementing Procedures and Protocols for Bad Weather and Road Conditions for WIPP Shipments, Richard C. Moore, Cheyenne, Wyoming, January 1992.</i>	WY	Final
<i>Evaluation of Bad Weather and Safe Parking Procedures: Cesium Transportation Plan, Richard C. Moore, Cheyenne, Wyoming, November 1994.</i>	WY	Final

## Section 4: Safe Parking During Abnormal Conditions

Lead States: Wyoming, Oregon

**The Issue:** Shipments may be delayed en route due to mechanical problems, bad weather or hazardous road conditions or other unanticipated problems.

**The Objective:** Identify and designate safe parking locations and criteria for selecting safe parking if a predesignated location cannot be reached.

**The Approach:** Under a contract with WGA, the Western Interstate Energy Board (WIEB) developed criteria for safe parking areas for WIPP shipments. DOE has agreed to carry out these criteria. A hierarchy has been developed to incorporate two factors: 1) the *desirability* of a particular type of parking area; and 2) the driver's *ability* to reach that parking area.

**1<sup>st</sup> Choice:** Department of Defense (DOD) & DOE facilities are the most desirable parking areas for WIPP shipments. However, it may not be possible for the driver to safely reach a DOD or DOE facility. The driver should then proceed down the hierarchy to select a parking area.

**2<sup>nd</sup> Choice:** Specific types of facilities (e.g. Ports of Entry) are likely to be more common than DOD or DOE facilities. State-specific information on the types of facilities that are acceptable has been identified. If the driver cannot reach one of these facilities, the driver should use the **3<sup>rd</sup> Choice** criteria.

**3<sup>rd</sup> Choice:** If facilities listed in the first or second tier cannot be reached safely, a series of avoidance factors are applied to select a parking area. No priorities have been assigned to these factors. It may not be possible to select a parking site that meets all of the criteria listed in the third tier. Compromises may be necessary.

The State of Wyoming prepared a detailed report describing the safe parking locations, preferred routes to these locations, and criteria for selecting parking locations for each state along the route. This report is included in this Guide.

**Evaluation:** The criteria used to select safe parking locations and the number, type, and location of predesignated safe parking locations must be evaluated. CMR, TCC, and each state must have procedures in place to carry out the safe parking criteria. These procedures must also be evaluated. The *Safe Parking Areas for WIPP Shipments* report contains maps, specific routes, and contacts for each predesignated safe parking location. The use of these predesignated parking locations must also be

evaluated to ensure that the drivers can obtain permission to use the safe parking location and proceed along the designated route to reach it.

The evaluation process for safe parking will consist of two parts: an evaluation of the criteria to select a safe parking location and the ability of the drivers to obtain safe parking at predesignated locations. To complete this evaluation, exercises will be conducted using actual trips of the TRUPACT-II transport vehicle. Bad weather or road conditions may be simulated during the exercises to initiate the need for safe parking. The lead states will prepare specific evaluation criteria and reporting forms for each exercise. The exercise described in *Evaluation of Bad Weather and Safe Parking Procedures: Cesium Transportation Plan* provides an example of this evaluation process.

In the Fall of 1994, DOE and the states along the cesium corridor conducted an evaluation of safe parking criteria and the use of DOD facilities for safe parking. The procedures developed for that evaluation will be modified for WIPP shipments. The lead states will work with DOE to identify trips of the WIPP Transport Vehicle that could be used to evaluate the safe parking criteria.

An evaluation should be conducted in each state along the route before actual shipments begin. Exercises should include the use of each DOD facility and other predesignated locations along the route. Once shipments begin, an evaluation along the initial route should be conducted before the onset of winter weather. These evaluations can be conducted as part of the evaluations for bad weather and road conditions. Each event that requires the use of safe parking that occurs during actual shipments should also be evaluated. CMR, TCC, and participating states should complete a *Safe Parking Event Evaluation Form* whenever the safe parking criteria are implemented. These reports will be evaluated by the lead states when they are submitted to ensure that the criteria for selecting safe parking locations were effective for the particular incident reported. The lead states will prepare suggested changes or improvements to the safe parking criteria to correct any critical problems encountered.

**Table 4: Safe Parking During Abnormal Conditions**

Lead States: Wyoming, Oregon

Documents	Responsible for Updates	Status
<b>Documents included in Guide</b>		
<i>Safe Parking Areas for WIPP Shipments</i> , Richard C. Moore, Cheyenne, Wyoming, May 1994.	WY	Final
<i>Interagency Agreement Between DOE &amp; DOD for Safe Parking at Military Installations</i> , DOE/DOD, August 1989.	DOE	Final
<i>Use of U.S. DOE and DOD Facilities as Safe Parking Areas Memorandum</i> , DOE Transportation Management Program, June 1991.	DOE	Final
<b>Documents to be prepared</b>		
Safe Parking Event Evaluation Form.	WY	
<b>Reference material</b>		
<i>Predesignated Parking Areas for WIPP Shipments</i> , WIEB, September 1990.	N/A	Final
<i>Guidelines for Selecting Parking Areas for WIPP Shipments</i> , WIEB, January 1991.	N/A	Final
<i>Criteria for Safe Parking Areas for WIPP Shipments</i> , WIEB, June 1990.	N/A	Final

## Section 5: Advance Notice of WIPP Shipments/Shipment Status Information

Lead States: Idaho, Wyoming

**The Issue:** States need annual shipment schedules, advance notice of shipment dates, the status of shipments en route, and the ability to communicate directly or indirectly with the drivers.

**The Objective:** Provide States with advance shipment schedules, an easy, reliable method to obtain shipment information and a means for communication with the drivers.

**The Approach:** Advance notice of WIPP shipment dates, ongoing status of on-the-road shipments and other pertinent information is required. This information is necessary for emergency response, implementing bad weather and road condition procedures, selecting safe parking when needed, scheduling inspections, conducting public information programs, and communicating with the driver of the WIPP transport vehicle.

States have identified a need for long range forecasts of the number of shipments from each DOE site. These forecasts are needed for planning, training, and public information programs. An overall schedule will be developed by CAO. An annual shipment schedule will be provided to the states by January 31 of each year. A midyear update will also be provided. A six-week projection will be provided through the advance notice section of TRANSCOM.

TRANSCOM is a satellite communications system designed to provide tracking and communications for DOE shipments of radioactive materials. The system enhances safety during transportation and assists in emergency preparedness and response. The TCC receives and distributes information to authorized users. TCC acts only as a conduit of information and does not make decisions regarding the movement of a shipment. The CMR at the WIPP site is a TRANSCOM "Designated User" and has full TRANSCOM communications capabilities with the vehicle. CMR coordinates all decisions regarding movement of shipments.

States will use TRANSCOM as the primary method to receive advance notice for individual WIPP shipments instead of requiring written notification. The Technical Advisory Group developed advance notice information requirements. These are included in this Guide. TRANSCOM will also be used to track shipments. The Technical Advisory Group developed and maintains backup procedures for shipment notification and tracking in the event of problems with the TRANSCOM system. These backup procedures include contacts for each state.

States along the initial corridor obtained computer systems to use the TRANSCOM system. DOE provided training for identified TRANSCOM users in each of these states. States not on the initial transportation corridor must obtain computer systems and training before shipments begin.

**Evaluation:** The information provided through annual shipment schedules, the accuracy of the six-week projections, and the use of TRANSCOM for notification of pending shipments will be evaluated. The TRANSCOM system will be evaluated for ease of use, system stability, and effectiveness. TCC procedures that affect the states' ability to track shipments and their status will also be evaluated.

The lead states will conduct an annual survey of the states to obtain information on the effectiveness of the advance notification and shipment tracking program. The information requested through this survey is included in the *Advance Notice and Shipment Tracking Evaluation Form* included in this section. Results from this survey will be presented to the Technical Advisory Group to determine if their needs are being met.

DOE and the states will continue to work together to enhance TRANSCOM and to identify the information to be provided by TRANSCOM. States should include an evaluation of TRANSCOM in the reports prepared for exercises or evaluations that use TRANSCOM as part of the exercise (e.g. safe parking evaluation, WIPPTREX).

**Table 5: Advance Notice of WIPP Shipments/Shipment Status Information**

Lead States: Idaho, Wyoming

Documents	Responsible for Updates	Status
<b>Documents included in Guide</b>		
<i>Advance Notice of TRU Waste Shipments, Idaho, 1995.</i>	ID/WY	Draft
<i>Advance Notice Information Requirements, Idaho.</i>	ID/WY	Draft
<i>Back-up Procedures When TRANSCOM Is Not Working, Oregon, 1992.</i>	ID/WY	Final
<b>Documents to be prepared</b>		
Advance Notice and Shipment Tracking Evaluation Form.	ID/WY	
<b>Reference material</b>		
<i>TRANSCOM Control Center Procedures.</i>	DOE	Final
<i>Central Monitoring Room Procedures.</i>	DOE	Final
<i>TRANSCOM Requirements Specification, Prepared for Transportation Technologies Group, Engineering Coordination and Analysis Section, Chemical Technology Division, Oak Ridge National Laboratory, Oak Ridge, Tennessee, December 12, 1994.</i>	DOE	Draft

## Section 6: Medical Preparedness

Lead States: New Mexico, Colorado, WGA

**The Issue:** Effective medical response to a WIPP transportation incident requires a clear understanding of radiological response plans and procedures by emergency medical personnel in the field and at hospitals, adequate training, and the necessary supplies and equipment.

**The Objective:** Establish and maintain an effective emergency medical response capability along the WIPP transport route.

**The Approach:** Medical personnel along the WIPP route are an important and integral component of the comprehensive emergency response system for the WIPP shipping campaign. The Technical Advisory Group has developed a *Regional Medical Preparedness Action Plan* for the WIPP shipping campaign. This plan identifies key elements and activities for emergency medical preparedness for WIPP transportation incidents. These include assessments of hospital readiness; development and refinement of radiological response plans and procedures; training, drills and exercises; and the identification and purchase of appropriate radiological and non-radiological supplies and equipment. States will use the Action Plan as the basis for developing the emergency medical preparedness program that best meets their respective individual needs, and will strive for consistency among state programs wherever possible.

To initiate the Action Plan, WGA coordinated an assessment of the medical facilities in the five states between the Idaho National Engineering Laboratory and WIPP. This assessment included recommendations for strengthening medical preparedness for WIPP shipments. These states are now carrying out the recommendations, as appropriate. Medical preparedness assessments in those western states not included in the initial survey will be performed well before shipments through their jurisdictions.

Western states on the WIPP transportation corridor are also working with potentially affected medical facilities and personnel to ensure the development of adequate, up-to-date radiological response plans and procedures. These plans and procedures must include provisions for the protection of emergency medical responders and also for the treatment of incident victims who may have been exposed to or contaminated by radioactive materials. Several plans and sets of procedures are available to serve as models. These reflect guidance provided by such organizations as the American Medical Association, American College of Emergency Physicians, and the Joint Council on the Accreditation of Hospital Organizations.

Training for both pre-hospital and hospital emergency medical personnel is another important element of the WIPP Emergency Medical Preparedness Program.

Emergency medical technicians, paramedics, and hospital emergency department personnel who may be required to handle and treat WIPP transportation incident victims must be prepared to do so in a safe, effective manner. Training encompasses classroom courses, in-hospital drills, and field exercises. The Radiation Emergency Assistance Center/Training Site (REAC/TS) is providing the requisite hospital personnel training under contract to Westinghouse, the management and operations contractor for the WIPP facility. DOE committed to providing for the REAC/TS training to states in its Cooperative Agreement with WGA.

Several states have expressed an interest in providing emergency medical training similar to that offered by REAC/TS, but which would be presented within their respective borders. Such State-directed training may offer greater flexibility in terms of course structure, content and availability, and may be more cost-effective. New Mexico is investigating this option on behalf of the other states.

For states conducting emergency response field exercises such as a WIPPTREX, emergency medical personnel should be involved in the exercise and should be provided REAC/TS training or its equivalent before the exercise. Pre-hospital and hospital emergency medical personnel are key players in any comprehensive WIPP emergency preparedness program.

States should assess if Emergency Medical Technician and Paramedic training includes hazardous materials response in the appropriate curricula. That assessment should specifically include radioactive materials, and patient care related to potential exposure or contamination from radioactive materials. The continuity of pre-hospital and hospital training response procedures should be assessed. New Mexico's assessment of its curricula indicated a significant deficiency relative to EMS response to a radioactive materials or other hazardous materials incident. The lead states will identify and assess options for providing the requisite pre-hospital training.

Finally, states are working to ensure emergency medical personnel are properly equipped to handle a WIPP transportation incident. The Action Plan lists recommended supplies and equipment for hospitals.

**Evaluation:** Key elements and activities needed for an effective response are identified in the Action Plan. This Action Plan will serve as the basis for assessing the adequacy of the regional emergency medical response capability for a WIPP incident. It will be reviewed, updated, and revised as appropriate by the lead states, in consultation with other members of the Technical Advisory Group, on a biennial basis.

Each state will be responsible for evaluating the effectiveness of the WIPP emergency medical preparedness capability within its borders. Specific evaluation criteria will be developed. State evaluations, in-hospital drills and various field exercises such as

WIPPTREX will be used in the evaluation. The adequacy of emergency medical response plans, procedures, and equipment; the effectiveness of training; and the performance of emergency medical personnel will be evaluated. Areas for improvement will be identified.

Those individuals involved in evaluating the medical care component of a WIPP emergency response drill or exercise will constructively review and discuss with the participants all findings and recommendations. For each DOE sponsored WIPP exercise, a report documenting the exercise and its evaluation will be prepared and distributed to the Technical Advisory Group. Quarterly meetings of the Technical Advisory Group will be used as a forum to discuss relevant findings and recommendations for enhancement of the states' emergency medical response capability. Areas identified for improvement will then be addressed and incorporated in biennial revisions of the *Regional Medical Preparedness Action Plan*.

## Table 6: Medical Preparedness

Lead States: New Mexico, Colorado, WGA

Documents	Responsible for Updates	Status
<b>Documents included in Guide</b>		
<i>Regional Medical Preparedness Action Plan (Revision 6), WGA Technical Advisory Group, August 1993.</i>	Technical Advisory Group	Final
<i>Initial WIPP Transportation Corridor Regional Medical Preparedness Assessment, Prince and Associates, Denver, Colorado, June 1993.</i>	WGA	Final
<b>Documents to be prepared</b>		
Medical Preparedness Evaluation Criteria.	CO, NM	
<b>Reference material</b>		
<i>State of New Mexico's Emergency Medical Response to WIPP Action Plan, New Mexico Department of Health/Emergency Medical Services Bureau, Santa Fe, New Mexico, 1991.</i>	NM	Final
<i>Report of the Governor's WIPP Emergency Response Medical Training Advisory Committee, New Mexico Department of Health/Emergency Medical Services Bureau, Santa Fe, New Mexico, September 1994.</i>	NM	Final
<i>Radiological Medical Emergency Training Materials, Radiation Emergency Assistance/Training Site, Oak Ridge, TN.</i>	REAC/TS	Final
<i>WIPP Transportation Incident Emergency Medical Response Guide, New Mexico Department of Health/Emergency Medical Services Bureau, Santa Fe, New Mexico, 1995.</i>	NM	Draft

## Section 7: Mutual Aid Agreements

Lead States: Idaho, Wyoming

**The Issue:** WIPP transport incidents may occur near state borders or exceed state and local emergency response capabilities. State and local officials must be able to access the closest emergency response resources, whether they are in an adjoining state or part of a federal agency.

**The Objective:** Ensure a swift response by capable responders, regardless of jurisdiction.

**The Approach:** A mutual aid agreement helps ensure the availability of adequate resources and the necessary protocols to call upon those resources to accomplish an efficient and effective response. Some states have entered into mutual aid agreements with DOE. These are listed in the *Listing of Mutual Aid Agreements for WIPP Transportation* included in this Guide.

To assist in the development of state-to-state agreements, the Technical Advisory Group developed a model mutual aid agreement. Some states have entered into such agreements. The agreements include a listing and the location of each state's resources. These mutual aid agreements can be activated anytime an incident occurs, but would most likely be used when the incident is in an area near a state border. This is because the adjoining state's resources may be closer to the incident. The mutual aid agreements need to provide for the pooling of emergency response resources when a state or local jurisdiction's own resources are exceeded. The agreement should also provide for a mechanism for setting the response in motion.

Interstate mutual aid agreements may supplement existing local agreements. Many local agencies along state borders already have formal or informal agreements to assist across state lines. Since these responders are more likely to handle the initial response to an accident, a good working relationship at the local level is crucial. The states should encourage the establishment of strong local relationships across state lines. The Technical Advisory Group will develop guidance on how to relate the model mutual aid agreement to local agreements.

**Evaluation:** Existing mutual aid agreements will be reviewed annually. Contact names and telephone numbers need to be verified and updated. The lead states will also periodically review the model mutual aid agreement to ensure it accurately reflects current conditions and requirements.

The most effective method of evaluating existing mutual aid agreements is through exercises such as WIPPTREX. States with mutual aid agreements with DOE should

include an evaluation of the agreement as part of the exercise program. States considering WIPPTREX exercises should try to schedule joint exercises with neighboring states to evaluate existing agreements or the need for an agreement if one is not already in place. The after action report for each exercise should include a discussion of the effectiveness of any mutual aid agreements.

Every two years, the lead states will conduct a survey of the states to determine the status of mutual aid agreements. The information requested through this survey is included in the Mutual Aid Evaluation Form included in this section. Based upon the results of the survey, the lead states will develop proposed changes to the model agreement. Results from this survey and proposed changes to the model agreement will be presented to the Technical Advisory Group at their next meeting.

If a mutual aid agreement is activated due to a transportation incident, a detailed after action-report should be prepared. Lead states will review the after action-report to determine if changes in the model agreement are required.

## Table 7: Mutual Aid Agreements

Lead States: Idaho, Wyoming

Documents	Responsible for Updates	Status
Documents included in Guide		
<i>Model Mutual Aid Agreement, Idaho.</i>	IDWY	Final
<i>Listing of Mutual Aid Agreements for WIPP Transportation, WGA.</i>	WGA	Draft
Documents to be prepared		
Mutual Aid Agreements Evaluation Criteria.	IDWY	

## Section 8: Emergency Response Plans & Procedures

Lead States: Arizona, Nevada, WGA

**The Issue:** Emergency response plans and procedures help ensure coordinated, timely, and effective incident response.

**The Objective:** Develop effective emergency response plans and procedures for responding to WIPP transport incidents along the entire shipping corridor.

**The Approach:** Many state, local and federal agencies have responsibilities for response to an incident involving a WIPP shipment. Each response organization must know which other organizations are involved and who is responsible for each task. This helps ensure all key response actions are covered. In case of an incident involving a shipment to WIPP, DOE and the carrier should be familiar with the specific plans and procedures in the state where the incident occurred.

Emergency response plans describe the organizations and their responsibilities. Emergency response procedures tell how the plan will be implemented. Each state's emergency response plan and procedures should have provisions for response to a WIPP incident. If a state develops a plan or procedures specific to a WIPP incident, it is essential they be consistent with other state and local emergency plans, especially those for radiological emergencies and hazardous materials incidents.

Each state along the WIPP shipping corridor has taken its own individual approach to transportation emergency response planning. This is especially true regarding division of responsibilities between various state agencies. Some states have developed emergency response plans especially for radiological transportation incidents (e.g., Wyoming). These plans could be used as a model for other states, should they wish to develop their own plan. There are many other guidance documents that can be used to determine the key components of an emergency response plan. These documents are referenced in the attached table.

Oregon developed model field procedures both for response to a radiological transportation incident and response specifically to an incident involving transuranic materials. Other states have used the generic model to develop their own procedures. A copy of the generic procedures is included in this guide.

The states also reviewed DOE's plans and procedures for response to a WIPP incident. The review was to ensure consistency of federal actions with state and local actions. Some of these procedures are included in this Guide.

**Evaluation:** Each state will review and update its own plans and procedures on a yearly basis. This is done to keep the plans and procedures current and to include lessons learned from exercises.

Exercises are used to test the plan and to train responders. Comments from exercise participants and evaluators who observe the exercise are used to identify ways the plan and procedures can be improved. Lead states will review corrective actions identified and lessons learned for WIPPTREX exercises and summarize significant findings in a brief report. WGA will distribute this report to the other states.

DOE's plans and procedures will also be tested during WIPPTREX exercises. Lead states will prepare suggested changes or improvements to correct any problems identified. These recommendations will be provided to the other states and DOE.

**Table 8: Emergency Response Plans & Procedures**

Lead States: WGA, Arizona, Nevada

Documents	Responsible for Updates	Status
<b>Documents included in Guide</b>		
<i>Oregon Field Procedures (Revised)</i> , Oregon, February 1993.	OR	Final
<i>Emergency Planning, Response, and Recovery Roles and Responsibilities for TRU-Waste Transportation Incidents</i> (DOE/CAO-94-1039), DOE Albuquerque Operations Office and Carlsbad Area Office, January 1995.	DOE	Final
<i>Recovery Guide for Packaging</i> (DOE/CAO-94-1007), Carlsbad Area Office, January 1995.	DOE	Final
<i>Incident/Accident Response Team Guide</i> (DOE/CAO-94-1008), CAO, September 1994.	DOE	Final
<b>Documents to be prepared</b>		
Listing of State Emergency Response Plans.	AZ, NV	
<b>Reference material</b>		
<i>Guidance for Developing State, Tribal, and Local Radiological Emergency Response Planning and Preparedness for Transportation Accidents</i> , FEMA-REP-5, Revision 1, June 1992.	FEMA	Final
<i>Criteria for Review of Hazardous Material Emergency Response Plans</i> , National Response Team, NFT-1A.		
<i>Planning Guide and Checklist for Hazardous Materials Contingency Plans</i> , FEMA-10.		
<i>Guide for the Review of State and Local Emergency Operations Plans</i> , CPG 1-8A.		



## Section 9: Emergency Response Equipment

Lead States: Idaho, Utah

**The Issue:** Emergency responders need specialized equipment to respond to a WIPP shipment incident.

**The Objective:** Acquire and maintain adequate equipment to respond to a WIPP shipment incident.

**The Approach:** Responders need proper equipment for response to an incident involving a WIPP shipment. Proper equipment includes primarily radiation detection equipment and personal protective equipment (PPE).

These equipment needs vary depending on the role of the responder. For example, first responders would likely enter the immediate incident scene only to conduct lifesaving rescue. The "bunker gear" and self contained breathing apparatus (SCBA) that most fire departments have is sufficient for this task. This entry could be conducted without radiation detection equipment, if none is immediately available.

Secondary responders, such as State Response Teams, have the responsibility of assessing the nature and extent of the incident and identifying contaminated individuals. These tasks would require PPE such as Tyvek suits and respirators. These tasks would also require radiation detection equipment. They would also require even more sensitive instrumentation to complete their tasks of area radiation and contamination surveys and ensuring a thorough cleanup. The organizations responsible for each of these tasks varies by state.

Each state has approached the issue of equipment acquisition and distribution in a different manner. Most states have extremely limited amounts of radiation detection equipment capable of detecting the alpha radiation emitted by transuranic waste. Some states have chosen to purchase alpha detection instruments and provide them to secondary responders in preparation for WIPP shipments.

There is a wide range of equipment types and brands available to meet these needs. In selecting which equipment to purchase, states considered such issues as cost, effectiveness, portability, reliability and durability under field conditions.

The lead states will develop a report describing the equipment necessary to respond to a WIPP incident. This report will include a description of the equipment needed to meet the requirements found in 29 CFR 1910.120 and NFPA 472-473 for the protection of those involved with incident response. These regulations prescribe specific equipment that is necessary to respond to incidents involving the types of material found in a WIPP

shipment. The report will also describe the equipment necessary to provide the ability to safely access the incident, provide protection to responders and to determine if victims or responders are contaminated. Equipment needed for training and exercises will also be discussed.

**Evaluation:** Exercises will be used to evaluate whether responders have the proper equipment for response to an incident involving a WIPP shipment. Each state will consider this as a key objective during a WIPPTREX or other exercise involving a transuranic waste shipment. States should evaluate whether responders have adequate radiation detection equipment, that it is properly calibrated, and whether the responders are properly trained in its use. States should also evaluate whether responders have proper PPE. States may also elect to conduct evaluations on specific types or brands of equipment.

If a state is involved in an actual response to a WIPP transportation incident, the after-action evaluation should consider these same issues. The evaluation should also review whether any injuries occurred as a result of inadequate equipment or inadequate training on the use of equipment.

Each year, lead states will compile lessons learned from all of the states. A summary of this information should then be provided to the other states and DOE.

## Table 9: Emergency Response Equipment

Lead States: Idaho, Utah

Documents	Responsible for Updates	Status
<b>Documents included in Guide</b>		
Recommended Equipment to be used by First Responders.	ID/UT	Draft
Recommended Equipment for State Police Responders, Inspectors and Radiological Response Teams.	ID/UT	Draft
<b>Documents to be prepared</b>		
Equipment Report.	ID/UT	
Recommended Maintenance/Calibration of Detection Equipment.	ID/UT	
Equipment Required for Training.	ID/UT	
<b>Reference material</b>		
<i>Evaluation Survey of Victoreen Model 190, Oregon State University, Corvallis, Oregon, January 1994.</i>	OR	Final

## Section 10: Training and Exercises

Lead States: Colorado, Utah

**The Issue:** An incident involving a WIPP shipment poses unique problems for emergency responders not usually addressed as part of their hazardous materials training.

**The Objective:** Provide appropriate training, drills and exercises to emergency responders to help ensure a coordinated, timely and effective incident response along the WIPP transport route.

**The Approach:** The amount and types of radiological response training varies tremendously from state to state. As a result, each state has specific and unique training needs. Most states do not have the resources to conduct training for a specific hazard such as transuranic waste.

DOE developed the States Training and Education Program (STEP) emergency responder training courses for WIPP shipments in consultation with the western states. DOE's original plans called for limited shipments from Idaho National Engineering Laboratory and Rocky Flats to conduct tests at WIPP. As a result, initial training was focused along these shipping corridors in the states of Idaho, Utah, Wyoming, Colorado, and New Mexico. These states made extensive use of the STEP training classes. Current courses include First Responder, First Responder Refresher, and Command and Control. The Technical Advisory Group will continue to provide input on additional course development and the direction of the training program to ensure the needs of the target audience are addressed.

Some states intend to eventually have state personnel deliver the STEP course material, rather than rely on DOE and its contractors. Some states are also interested in incorporating the STEP training into their existing hazardous material response training programs. Since emergency responders are already inundated with training requirements, this would allow for a more efficient use of limited training time.

The STEP courses are available upon request of the states. To determine its needs for these courses, each state will evaluate the capabilities of its emergency response personnel. The evaluation should determine the current radiological response capabilities and training necessary to maintain and improve those capabilities to allow personnel to respond to a WIPP shipment incident.

Each state will develop a plan to accommodate training needs based on the results of the evaluation. Once a state has identified its training and exercise requirements, state representatives will meet with each other and DOE to review and coordinate the

available training classes and exercises. This coordination will become increasingly important as additional states begin to prepare for shipments.

Exercise programs are an integral part of any training program. Exercises can enhance learning, test systems, increase awareness, and provide information to evaluate the effectiveness of training. Exercises should begin small and build to functional and full-scale exercises.

DOE developed an exercise program that provides an opportunity to evaluate local and state capabilities. The WIPP Transportation Emergency Exercise (WIPPTREX) program was designed to determine the local and state response capabilities to a WIPP incident. WIPPTREX exercises are held twice a year on a rotational basis among states. Transportation Accident Exercises (TRANSAX) test DOE response capabilities and local and state systems. TRANSAX exercises are held about once every two years.

**Evaluation:** Changes in regulations, procedures, policies, and other factors may result in different training and exercise requirements. Changes may be needed in courses to ensure they are accurate, current and appropriate.

Under the Land Withdrawal Act, the U.S. Occupational Safety and Health Administration (OSHA) is required to evaluate the STEP courses. OSHA decided this evaluation will be conducted every two years. The next evaluation is scheduled for mid-1995. Lead states will work with DOE and Westinghouse-WIPP to evaluate, review, and update the course material prior to submittal to OSHA for review. This evaluation will include a periodic sampling of course students to assess the usefulness of the training material and the students' retention of the information.

Each state will need to evaluate whether it is providing sufficient training and exercise opportunities to its responders. States may wish to set goals to train a certain percentage of emergency responders. States will also need to ensure that responders all along their portion of the route have been trained, and eliminate "gaps" where no or few responders have received training. States will also need to evaluate whether responders are receiving refresher training on a regular basis.

States should share any important lessons learned from their individual evaluations with the lead states. A summary of this information should then be provided to the other states and DOE.

**Table 10: Training and Exercises**

Lead States: Colorado, Utah

Documents	Responsible for Updates	Status
<b>Documents included in Guide</b>		
<i>WIPP Training Fact Sheet, WIPP.</i>	WIPP	Final
<i>WIPP Training Planning Procedures, Colorado.</i>	CO	Final
<i>WIPPTREX Planning Procedures, WIPP.</i>	WIPP	Final
<i>Training Capabilities Evaluation, CAO.</i>	CAO	Draft
<b>Documents to be prepared</b>		
Training Report.	CO/UT	
<b>Reference material</b>		
<i>First Responder, United States Department of Energy, Waste Isolation Pilot Plant, Carlsbad, New Mexico, Revision Three.</i>	DOE	Final
<i>First Responder Refresher, United States Department of Energy, Waste Isolation Pilot Plant, Carlsbad, New Mexico, Revision Three.</i>	DOE	Final
<i>Command and Control, United States Department of Energy, Waste Isolation Pilot Plant, Carlsbad, New Mexico, Revision Three.</i>	DOE	Final
U.S. Department of Labor letter by David Zeigler, 4/27/93 and U.S. Department of Labor letter by Frank Frodyma, 7/19/93 regarding OSHA review of WIPP Training, OSHA.	OSHA	Final
<i>DOE Nevada Operations Emergency Management Training Course Listing, DOE Nevada Operations Office, January 1995.</i>	DOE	Final

Documents	Responsible for Updates	Status
<i>Report on the Emergency Response Training and Equipment Activities through Fiscal Year 1993 for the Transportation of Transuranic Waste to the Waste Isolation Pilot Plant, USDOEWIPP 93-061, April 1994.</i>	DOE	Final

## Section 11: Public Information and Participation

Lead States: Oregon, Nevada, New Mexico

**The Issue:** The public and news media have a heightened concern about the transport of radioactive materials.

**Objective:** Clearly communicate to the media and public the actual risk of the shipments and the safety measures in place. Encourage continued public involvement in program planning and review.

**Approach:** The goal of the western Governors is the safe and uneventful transport of transuranic waste to WIPP. This will not be possible unless the public and media have confidence that the WIPP shipping campaign requires the highest reasonable standards for incident prevention and emergency preparedness.

A coordinated effort is needed among corridor states, WGA, and DOE to clearly communicate the safety measures in place and the actual risk that shipments present. The public must have complete, timely, accurate and unbiased information and the opportunity to judge the merits of the safety program on its own. They should be provided opportunities to participate in the development and evaluation of the program whenever possible.

The states and WGA will develop accurate information materials about the transportation safety program and about other issues of local and regional significance generated by the transportation program. These products must conform to high standards for clarity and meet the needs of the public, the news media, and others.

Communications with the public and media will vary depending on the interest of the audiences. It will likely include the following:

- Publications/direct mail materials, including brochures, pamphlets, handbooks, newsletters, fact sheets, etc;
- Media work, including meetings with editorial boards, guest articles, news releases, newspaper ad copy;
- Public Service Announcements (Radio and TV);
- An informational video;
- Public presentations to civic groups, schools, etc.;
- Public meetings; and
- Public displays (WIPP Road Show Trailer)

Because the transport of radioactive materials generates such strong emotions, those who speak to the media and the public about the transport program should have training in risk communications.

**Evaluation:** Evaluation of the Public Information and Participation program will include reviews of the public information products and materials, the effectiveness of public meetings and other events, whether the focus of public and media activities is directed in the most effective manner, and whether states are following the Regional Communications Plan.

Public information products, such as fact sheets, brochures and informational videos, will be reviewed by focus groups of representative target audiences. The lead states will work with WGA and DOE to conduct small focus groups in at least three states at least every two years to review these materials. The materials will be evaluated for accuracy and clarity of information, and to ensure that the information is presented in a fair, unbiased manner.

Evaluation forms will be provided to participants at public meetings. These forms will ask questions to help the states gauge the effectiveness of the meetings. These forms will be reviewed by the lead states on an annual basis. Pertinent information taken from these forms will be shared with all corridor states, WGA, and DOE.

Surveys will be used to help gauge the effectiveness of various aspects of the overall program and identify those factors that will have the greatest impact in generating public confidence in the program. Resources/attention can then be re-directed, if necessary, on those aspects of the program that have the strongest effect. This will be done as a joint effort among the lead states, WGA and DOE. Surveys will be conducted at least every three years.

On an annual basis, the lead states will evaluate the effectiveness of the Regional Communications Plan. This will be done by surveying the public information activities of each state, WGA and DOE. Significant deviations from the plan, identified problems, or major successes will be discussed at the next quarterly meeting of the Technical Advisory Group.

**Table 11: Public Information and Participation**

Lead States: Oregon, Nevada, New Mexico

Documents	Responsible for Updates	Status
<b>Documents included in Guide</b>		
<i>Contacts for the Media and Public for Information on the WIPP Transportation Safety Program, Oregon and WGA, April 1995.</i>	OR	Draft
<b>Documents to be prepared</b>		
Regional Communications Plan.	OR, NM, NV, & WGA	
Compilation of Information Resources.	OR, NM, NV, & WGA	
Regional Public Information Resources.	OR, NM, NV, & WGA	
Public Meeting Evaluation Form.	OR	
Survey of Public Information Activities.	OR, NM, NV, & WGA	
<b>Reference material</b>		
<i>Carlsbad Area Office Stakeholder Outreach Strategic Plan, USDOE-CAO, March 1995.</i>	CAO	Final

## Section 12: Highway Routing of WIPP Shipments

Lead States: New Mexico, California, Colorado, Nevada

**The Issue:** There are various route options for moving transuranic waste from generator sites to the WIPP facility.

**The Objective:** Identify and select the safest routes for transporting transuranic waste to WIPP.

**The Approach:** DOT regulations for the routing of Highway Route Controlled Quantities (HRCQ) of radioactive materials require the use of Interstate System highways unless states have properly designated alternate preferred routes (49 CFR 397). Although not every WIPP shipment will be a HRCQ shipment, DOE has stated that, as a matter of policy, all WIPP shipments will be subject to this DOT routing requirement. DOE, with cooperation from the states, also identified specific Interstate System highway routes for WIPP shipments well before the actual shipments. This identification of specific routes limits the number of affected jurisdictions and allows states to focus preparation and training.

Preferred routes designated by the states may provide safer routes than the existing Interstate System. Routes for pickup at and delivery to facilities not on the Interstate System may also need to be analyzed to provide the best route. The identification, analysis, and selection of appropriate highway routes for the transportation of WIPP shipments can reduce the radiological and non-radiological risks associated with the WIPP shipping campaign.

The designation process entails the performance of a comparative route analysis following DOT's *Guidelines for Selecting Preferred Highway Routes for Highway Route Controlled Quantity Shipments of Radioactive Materials* (DOT/RSPA/HMS/92-02, August 1992) or an equivalent routing analysis which adequately considers overall risk to the public. In assessing the primary route comparison factors, basic data are compiled on accident rates, traffic counts, highway segment length, vehicle speeds, population distribution, land use and other relevant factors for each alternative route. Upon completion of the data compilation and verification process, the information is processed and used to compare alternative routes.

Upon completion of the preferred route designation process, states must file their routing designations with the DOT's Federal Highway Administration (FHWA). Coordination with local government authorities along prospective routes of travel and other adjacent state authorities is required to obtain relevant information and to ensure continuity of designated routes, should an alternative route be selected. Preferred routes become effective when a state receives formal acknowledgment from FHWA.

To date, California, Colorado, and New Mexico have designated alternate preferred routes. Nevada is currently evaluating preferred routes.

**Evaluation:** Evaluation of routing issues will include an assessment of the benefit of DOE's preselection of routes, the safety of routes selected, environmental justice issues, and adherence to the selected routes.

Prior to the first shipment, lead states will prepare an evaluation of the benefit to the states of DOE's preselection of routes. By predesignating routes, states have been able to concentrate their activities along these routes instead of having to prepare for all possible routes. Items in this evaluation will include training and exercises, designated safe parking locations, medical preparedness and public information activities.

Every two years, lead states will conduct an evaluation of the safety of the routes. Items in this evaluation will include the number of incidents along the route involving radiological materials shipments, the number of incidents along the route involving other commercial trucks, locations with high accident rates or weather problems, and other trouble spots. This information will be used to consider use of other routes or to call attention to potential trouble spots.

Some states have already designated specific routes. Other states may also conduct route designation studies in the future. An evaluation of the route designation process by states that have designated routes could provide valuable information to states considering starting a route designation. The lead states will conduct an evaluation of the route designation process for those states that have already designated routes. This evaluation will include a description of the methodology used, information and data requirements, a description of the process followed, and lessons learned.

Executive Order 12898, signed by President Clinton on February 11, 1994, requires each federal agency to give priority to environmental justice. Its purpose is to emphasize compliance with provisions of existing environmental, health and civil rights laws and ensure a safe and healthful environment for all communities and persons. When conducting the evaluations described above, the lead states will also consider environmental justice issues.

States want to ensure that DOE and its transportation carrier follow preferred routes, as that term is defined in the applicable DOT regulations. The lead states, in consultation with other western corridor states, will review on an annual basis the designated WIPP routes in each state.

Once this information is compiled and verified, it will be compared to the official listing of alternate preferred routes published annually by DOT for accuracy and consistency. The resulting compilation of preferred routes for WIPP shipments will then be reviewed with DOE and its carrier to ensure it corresponds directly with the information on WIPP preferred routes contained in the carrier's Management Plan.

**Table 12: Highway Routing of WIPP Shipments**

**Lead States: New Mexico, California, Colorado, Nevada**

Documents	Responsible for Updates	Status
<b>Documents included in Guide</b>		
<i>Summary of WIPP Highway Routes through the Western States, New Mexico, April 1995.</i>	<b>NM</b>	<b>Draft</b>
<b>Reference material</b>		
<i>DOE/OCWRM Report on WIPP Route Designation Process.</i>	<b>OCWRM</b>	<b>Final</b>
<i>Preferred Routes Designated by States under 49 CFR 397, USDOT/FHWA, Washington, D.C.</i>	<b>DOT/FHWA</b>	<b>Final</b>
<i>Final Statement of Reasons: Designation of Routes for the Through Transportation of Highway Route Controlled Quantity Shipments of Radioactive Materials, HMS-94-1, CA Highway Patrol, Sacramento, California, August 1994, effective October 19, 1994.</i>	<b>CA</b>	<b>Final</b>
<i>Nuclear Materials Transportation Route Designation within the State of Colorado, Colorado Department of Public Safety, Division of State Patrol, Denver, Colorado; routing regulations codified in Nuclear Materials Routing Rules 1 through 4, Volume 8, Code of Colorado Regulations, Section 1507-6 (8 CCR 1507-6), effective March 10, 1989.</i>	<b>CO</b>	<b>Final</b>

Documents	Responsible for Updates	Status
<p><i>Report to the New Mexico Secretary of Highway and Transportation to the New Mexico State Highway Commission Recommending Action on Proposed State Highway and Transportation Department (SHTD) Rule 91-3 Designating Highway Routes for the Transport of Radioactive Materials, New Mexico State Highway and Transportation Department/Office of General Counsel, Santa Fe, New Mexico, May 1991.</i></p>	<p>NM</p>	<p>Final</p>
<p><i>Comparative Study of WIPP Transportation Alternatives, DOE/WIPP 93-058, USDOE/CAO, Carlsbad, New Mexico, February 1994.</i></p>	<p>CAO</p>	<p>Final</p>

## Section 13: Program Evaluation

Lead States: California, Oregon

**The Issue:** The WIPP Transportation Safety Program and its individual elements must be regularly and rigorously evaluated to determine their effectiveness.

**The Objective:** Measure the effectiveness of the WIPP Transportation Safety Program, identify areas needing improvement, and ensure issues are resolved.

**The Approach:** Western states have worked with DOE to develop a comprehensive transport safety program for WIPP shipments. This safety program is designed to reduce the risk of a WIPP transportation incident and to increase the public's confidence in these shipments and nuclear waste transportation in general. The program is also intended to serve as a model for use or adaptation for use on other radiological shipments.

The evaluation process has two elements: reviews of procedures and policies specific to each section, and evaluation of the WIPP Transportation Safety Program as a whole. Criteria for the evaluation for each section are developed by the lead states for each task. Criteria to evaluate the overall program are developed by all the states. Data collection and analysis should not be unnecessarily burdensome. Both quantitative and qualitative information will be used.

The evaluation of each section will include both the procedures and policy decisions specific to each section. For example, evaluation of safe parking could include looking at specific procedures such as whether directions to designated safe parking locations are easy to understand. It could also include a review of the policy issues such as whether the avoidance criteria agreed to by the states results in the selection of appropriate safe parking locations. This evaluation will be conducted by the lead states for each task.

The overall program evaluation includes looking at the interrelationship between various program elements and evaluating elements not contained in the individual sections. For example, the medical preparedness, training and equipment sections all have some elements that overlap. These interrelationships need to be evaluated to assure a consistency of effort and that tasks are not redundant. Program elements not evaluated as part of a particular section, such as coordination among the states and with Native American Nations, also need evaluation.

The overall program evaluation will occur annually and involve all the states. It will begin with a round table discussion at the last quarterly meeting of each year. The lead

states for Program Evaluation will coordinate this activity and develop recommended suggestions for the program.

Since shipments to the WIPP site are not expected before 1998, there is a limit to the evaluation that can be done before shipments begin. Whenever possible, evaluation will be completed for other radioactive material shipments, in cooperation with DOE.

## Table 13: Program Evaluation

Lead States: California, Oregon

Documents	Responsible for Updates	Status
Documents to be prepared		
Performance Criteria for Program Components.	CA, OR	
Draft Annual State Program Review.	CA, OR	
Draft Biennial Program Review.	CA, OR	

## **Appendix L**

**PUBLIC INFORMATION MATERIALS**  
**relevant to the**  
**WASTE ISOLATION PILOT PLANT (WIPP) PROJECT**

**Title:** **Managing Hazardous Materials Incidents, Volume I--Emergency Medical Services: A Planning Guide for the Management of Contaminated Patients**

**Format:** Booklet (77 pages)

**Date:** Unknown (1990s)

**Source:** U.S. Department of Health and Human Services, Public Health Service, Agency for Toxic Substances and Disease Registry

**WIPPspecific:** No

**Order Info:** Emergency Response and Consultation Branch  
Division of Health Assessment and Consultation  
Agency for Toxic Substances and Disease Registry  
1600 Clifton Road, N.E.  
Atlanta, Georgia 30333  
(404)639-6360

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**Title:** **Managing Hazardous Materials Incidents, Volume II--Hospital Emergency Departments: A Planning Guide for the Management of Contaminated Patients**

**Format:** Booklet (75 pages)

**Date:** Unknown (1990s)

**Source:** U.S. Department of Health and Human Services, Public Health Service, Agency for Toxic Substances and Disease Registry

**WIPPspecific:** No

**Order Info:** Emergency Response and Consultation Branch (E57)  
Division of Health Assessment and Consultation  
Agency for Toxic Substances and Disease Registry  
1600 Clifton Road, N.E.  
Atlanta, Georgia 30333  
(404)639-6360

**Title: Managing Hazardous Materials Incidents, Volume III--Medical Management Guidelines for Acute Chemical Exposures**

**Format: Booklet**

**Date: Unknown (1990s)**

**Source: U.S. Department of Health and Human Services, Public Health Service, Agency for Toxic Substances and Disease Registry**

**WIPPspecific: No**

**Order Info: Emergency Response and Consultation Branch (E57)  
Division of Health Assessment and Consultation  
Agency for Toxic Substances and Disease Registry  
1600 Clifton Road, N.E.  
Atlanta, Georgia 30333  
(404)639-6360**

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**Title: Emergency Preparedness for Transportation Incidents Involving Radioactive Materials (SAIC-89/1354)**

**Format: Booklet**

**Date: May 1989; updated May 1990**

**Source: Science Applications International Corporation (as a subcontractor to Analysas Corporation, Oak Ridge, Tennessee; produced for the Transportation Management Division, U.S. Department of Energy, Washington, D.C.)**

**WIPPspecific: No**

**Order Info: U.S. Department of Energy  
Transportation Management Division  
Washington, D.C. 20545  
(301)353-2498**

**Title: Transport of Radioactive Materials: Q & A (Questions and Answers) about Incident Response**

**Format: Booklet (32 pages)**

**Date: 1992**

**Source: Radiation Emergency Assistance Center/Training Site, Medical Sciences Division, Oak Ridge Associated Universities; written and compiled by M. Berger, Bill Byrd, C.M. ("Hap") West, and R.C. Ricks**

**WIPPSpecific: No**

**Order Info: Federal Emergency Management Agency (FEMA) Publications Center  
P.O. Box 70274  
Washington, D.C. 20024  
(301)447-1360**

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**Title: Shipment of Radioactive Material by the U.S. Department of Energy (DOE/DP-0065)**

**Format: Booklet (37 pages)**

**Date: Unknown**

**Source: U.S. Department of Energy, Transportation Management Division**

**WIPPSpecific: No**

**Order Info: U.S. Department of Energy  
Transportation Management Division, DP-121  
Washington, D.C. 20545  
(301)353-3506**

**Title:** 1996 North American Emergency Response Guidebook

**Format:** Booklet

**Date:** March 1996

**Source:** U.S. Department of Transportation (DOT); written and compiled by the staff of the DOT Associate Administrator for Hazardous Materials Safety, Research and Special Programs Administration

**WIPPspecific:** No

**Order Info:** U.S. Department of Transportation  
Research and Special Programs Administration  
Office of Hazardous Materials Initiatives and Training (DHM-50)  
Washington, D.C. 20590-0001  
(202)366-4900

U.S. Government Printing Office  
Superintendent of Documents  
Mail Stop: SSOP  
Washington, D.C. 20402-9328

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**Title:** Guidance for Developing State, Tribal, and Local Radiological Emergency Response Planning and Preparedness for Transportation Accidents (FEMA-REP-5, Revision 1)

**Format:** Booklet

**Date:** June 1992

**Source:** Federal Emergency Management Agency; prepared by the Federal Radiological Preparedness Coordinating Committee, Subcommittee on Transportation Accidents

**WIPPspecific:** No

**Order Info:** Federal Emergency Management Agency  
P.O. Box 8181  
Washington, D.C. 20024

**Title: Radiological Emergency Preparedness Exercise Manual (FEMA-REP-14)**

**Format: Booklet**

**Date: March 1992**

**Source: Federal Emergency Management Agency, Office of Technological Hazards, State and Local Programs and Support**

**WIPPspecific: No**

**Order Info: Federal Emergency Management Agency  
P.O. Box 70274  
Washington, D.C. 20024**

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**Title: Radiological Emergency Preparedness Exercise Evaluation Methodology (FEMA-REP-15)**

**Format: Booklet**

**Date: March 1992**

**Source: Federal Emergency Management Agency, Office of Technological Hazards, State and Local Programs and Support**

**WIPPspecific: No**

**Order Info: Federal Emergency Management Agency  
P.O. Box 70274  
Washington, D.C. 20024**

**Title: Hazardous Materials Marking, Labeling and Placarding Guide (U.S. Department of Transportation Chart 10)**

**Format: Brochure (4 pages)**

**Date: February 1994**

**Source: U.S. Department of Transportation, Research and Special Programs Administration**

**WIPPSpecific: No**

**Order Info: U.S. Department of Transportation  
Research and Special Programs Administration  
Office of Hazardous Materials Initiative and Training (OHMIT/DHM-51)  
Washington, D.C. 20590**

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**Title: First Response to Transportation Accidents involving Radioactive Materials**

**Format: Video cassette**

**Date: December 1995**

**Source: Conference of Radiation Control Program Directors, Inc. (CRCPD), Frankfort, Kentucky**

**WIPPSpecific: No**

**Order Info: Copy Master Video  
Department 16  
711 E. Fairfield  
Villa Park, Illinois 60181  
(708)279-1276**

**Title: Directory of State Agencies involved with the Transportation of Radioactive Material (CRCPD Publication 95-3)**

**Format: Booklet (58 pages)**

**Date: October 1995**

**Source: Conference of Radiation Control Program Directors, Inc. (CRCPD), Frankfort, Kentucky**

**WIPPspecific: No**

**Order Info: Conference of Radiation Control Program Directors  
205 Capital Avenue  
Frankfort, KY 40601  
(502)227-4543**

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**Title: Four Excellent Reasons Why the WIPP Transportation System is Safe**

**Format: Brochure (4 panel fold-out)**

**Date: 1993**

**Source: U.S. Department of Energy, Carlsbad (New Mexico)Area Office**

**WIPPspecific: Yes**

**Order Info: U.S. Department of Energy  
Carlsbad Area Office  
WIPP Public Information  
P.O. Box 2078  
Carlsbad, NM 88221**

**Title:**            **Transuranic Waste Transportation Handbook**

**Format:**        **Booklet (73 pages)**

**Date:**            **1994**

**Source:**         **Southern States Energy Board (SSEB), Norcross, Georgia**

**WIPPspecific:** **Yes**

**Order Info:**    **Southern States Energy Board**  
                  **3091 Governors Lake Drive, Suite 400**  
                  **Norcross, GA 30071**  
                  **(770)242-7712**

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**Title:**            **Lessons Learned by the Southern States in the Transportation of Radioactive Materials**

**Format:**        **Booklet (54 pages)**

**Date:**            **April 1994**

**Source:**         **Southern States Energy Board (SSEB), Norcross, Georgia**

**WIPPspecific:** **No**

**Order Info:**    **Southern States Energy Board**  
                  **3091 Governors Lake Drive, Suite 400**  
                  **Norcross, GA 30071**  
                  **(770)242-7712**

**Title:           The Nuclear Waste Primer: A Handbook for Citizens**

**Format:       Booklet (170 pages)**

**Date:           1993**

**Source:       League of Women Voters**

**WIPPspecific: No**

**Order Info:   Lyons & Burford, Publishers  
                  31 W. 21st Street  
                  New York, NY 10010**

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**Title:           A Safe Way Out: The TRUPACT-II Transportation System**

**Format:       Video cassette**

**Date:           1993**

**Source:       State of Idaho, Department of Law Enforcement**

**WIPPspecific: Yes**

**Order Info:   Idaho Department of Law Enforcement  
                  MCSAP Video Section  
                  6027 Clinton Street  
                  Boise, ID 83704  
                  (208)327-7104**

**Title: The WIPP Trail: A Nation's Crisis Dumped on New Mexico**

**Format: Video cassette (1 hour)**

**Date: 1989**

**Source: Penelope Place and Gay Dillingham, Co-Producers/Directors**

**WIPPspecific: Yes**

**Order Info: The WIPP Trail Video  
P.O. Box 15297  
Santa Fe, NM 87506**

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**Title: The WIPP Integrated Transportation System**

**Format: Video cassette (20 minutes)**

**Date: 1990s**

**Source: Westinghouse Electric Corporation, Waste Isolation Division Media Group  
(produced for the U.S. Department of Energy, Carlsbad Area Office)**

**WIPPspecific: Yes**

**Order Info: Westinghouse Electric Corporation  
Waste Isolation Division (Media Group)  
P.O. Box 2078  
Carlsbad, NM 88221**

**Title:** TRUPACT-II: A Safe Container for Radioactive Wastes  
**Format:** Video cassette (8 minutes)  
**Date:** September 1989  
**Source:** Sandia National Laboratories, Albuquerque, New Mexico (produced for the U.S. Department of Energy, Carlsbad Area Office)

**WIPPSpecific:** Yes

**Order Info:** Sandia National Laboratories  
P.O. Box 5800  
Albuquerque, NM 87185

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**Title:** TRANSAX '90: A Transportation Exercise involving a TRUPACT-II Container  
**Format:** Video cassette (18 minutes)  
**Date:** May 1992  
**Source:** U.S. Department of Energy, Office of Environmental Management (produced by the Argonne Film and Video Group)

**WIPPSpecific:** Yes

**Order Info:** U.S. Department of Energy  
Office of Environmental Management  
Transportation and Emergency Management Resource Center  
P.O. Box 23769  
Washington, D.C. 20026-3769  
(800)736-3282

**Title:**           **Safety First—Transportation of Radioactive Materials**

**Format:**        Video cassette (22 minutes)

**Date:**           December 1995

**Source:**        U.S. Department of Energy, Office of Environmental Management (produced by the Argonne Video Group)

**WIPPspecific:** No

**Order Info:**    U.S. Department of Energy  
                  Office of Environmental Management  
                  Transportation and Emergency Management Resource Center  
                  P.O. Box 23769  
                  Washington, D.C. 20026-3769  
                  (800)736-3282

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**Title:**           **1. DOE's Motor Carrier Evaluation Program**  
                  **2. Highway Routing of Radioactive Material Shipments**  
                  **3. Radioactive Materials Package Testing**  
                  **4. Radioactive Materials Shipping Regulations**  
                  **5. Radioactive Materials Transportation: Emergency Response**  
                  **6. TRANSCOM: A Transportation Tracking & Communications System**  
                  **7. Transportation in the Nuclear Fuel Cycle**  
                  **8. U.S. Department of Energy Shipping Activity**

**Format:**        Fact sheets (8)

**Date:**           1994-1995

**Source:**        U.S. Department of Energy

**WIPPspecific:** No

**Order Info:**    U.S. Department of Energy  
                  Office of Environmental Management  
                  Transportation and Emergency Management Resource Center  
                  P.O. Box 23769  
                  Washington, D.C. 20026-3769  
                  (800)736-3282

**Title:** EPA and the WIPP  
**Format:** Booklet (9 pages)  
**Date:** July 1994  
**Source:** U.S. Environmental Protection Agency, Office of Radiation and Indoor Air  
**WIPPspecific:** Yes  
**Order Info:** U.S. Environmental Protection Agency  
Office of Radiation and Indoor Air  
Policy and Emergency Response Branch  
401 M Street, S.W. (6602J)  
Washington, D.C. 20460  
(202)233-9360

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**Title:** EPA's Communications Plan for the Waste Isolation Pilot Plant  
**Format:** Booklet (9 pages)  
**Date:** December 1995  
**Source:** U.S. Environmental Protection Agency, Office of Radiation and Indoor Air  
**WIPPspecific:** Yes  
**Order Info:** U.S. Environmental Protection Agency  
Office of Radiation and Indoor Air  
Policy and Emergency Response Branch  
401 M Street, S.W. (6602J)  
Washington, D.C. 20460  
(202)233-9360

**Title:** **Chronology of the WIPP Project**

**Format:** Booklet (20 pages)

**Date:** February 1997

**Source:** State of New Mexico, Radioactive Waste Consultation Task Force (compiled by Christopher J. Wentz, Task Force Coordinator)

**WIPPspecific:** Yes

**Order Info:** Radioactive Waste Consultation Task Force (Attn: C. Wentz/H. Snow)  
c/o N.M. Energy, Minerals and Natural Resources Department  
2040 Pacheco Street  
Santa Fe, NM 87505  
(505)827-5950

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**Title:** **WIPP Highway Shipment Routes in New Mexico and the United States**

**Format:** Brochure (5 pages)

**Date:** February 1996

**Source:** State of New Mexico, Radioactive Waste Consultation Task Force (compiled by Christopher J. Wentz, Task Force Coordinator)

**WIPPspecific:** Yes

**Order Info:** Radioactive Waste Consultation Task Force (Attn: C. Wentz/H. Snow)  
c/o N.M. Energy, Minerals and Natural Resources Department  
2040 Pacheco Street  
Santa Fe, NM 87505  
(505)827-5950

**Title:** **Waste Isolation Pilot Plant (WIPP): Background and Status**

**Format:** Factsheet (1 page)

**Date:** March 1996

**Source:** State of New Mexico, Radioactive Waste Consultation Task Force (compiled by Christopher J. Wentz, Task Force Coordinator)

**WIPPspecific:** Yes (New Mexico-specific)

**Order Info:** Radioactive Waste Consultation Task Force (Attn: C. Wentz/H. Snow)  
c/o N.M. Energy, Minerals and Natural Resources Department  
2040 Pacheco Street  
Santa Fe, NM 87505  
(505)827-5950

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**SOURCE:** Compiled by Chris J. Wentz, Coordinator, New Mexico Radioactive Waste Consultation Task Force, March 1996; updated February 1997.

## **Appendix M**

**OVERVIEW AND STATUS**  
**OF THE**  
**STATE OF NEW MEXICO'S**  
**WIPP TRANSPORTATION SAFETY PROGRAM**

**PRESENTED TO**

**CARLSBAD CITY COUNCIL**

**Carlsbad City Council Chambers**  
**Carlsbad, New Mexico**  
**December 12, 1996**

**BY**

**CHRIS J. WENTZ, COORDINATOR**  
**RADIOACTIVE WASTE CONSULTATION TASK FORCE**  
**STATE OF NEW MEXICO**

## SCOPE OF PRESENTATION

- WIPP PROJECT OVERVIEW
  - MISSION AND SCOPE
  - REGULATORY DRIVERS
  - STATUS
  
- STATE OF NEW MEXICO'S WIPP PROGRAM
  - PHILOSOPHY AND STRATEGY
  - ORGANIZATION
  
- N.M. WIPP TRANSPORTATION SAFETY PROGRAM
  - PARTICIPANTS AND AFFECTED ENTITIES
  - EVOLUTION
  - STRUCTURE AND COMPONENTS
  - IMPLEMENTATION, TESTING AND EVALUATION

## WIPP MISSION, SCOPE AND STATUS

- FEDERAL PROJECT OF THE U.S. DEPARTMENT OF ENERGY
  
- MISSION: PERMANENT DISPOSAL OF DEFENSE TRANSURANIC WASTE IN A DEEP GEOLOGIC REPOSITORY
  
- SCOPE OF PROJECT
  - STATUTORY CAPACITY IS 6.2 MILLION CUBIC FEET
  - CONTACT- AND REMOTE-HANDLED TRANSURANIC RADIOACTIVE WASTE
  - SHIPMENTS FROM TEN (10) MAJOR DOE SITES; POSSIBLE SHIPMENTS FROM SMALL QUANTITY SITES
  - OPERATIONAL LIFE OF 35 YEARS
  
- STATUS
  - DOE FOCUS ON REGULATORY COMPLIANCE
  - EARLIEST DATE FOR WASTE RECEIPT: NOVEMBER 1997
  - PHASED, RAMP-UP APPROACH FOR SHIPPING CAMPAIGN

## **DOE MANAGEMENT STRUCTURE: WIPP**

- NEWLY ESTABLISHED DOE CARLSBAD AREA OFFICE (DOE/CAO)
  - DOE/HQ PROVIDES POLICY DIRECTION
  - DOE/AL PROVIDES ADMINISTRATIVE SUPPORT
  
- CREATION OF A NATIONAL TRANSURANIC PROGRAM OFFICE
  - GENERATOR/STORAGE SITE INTERFACE
  - WASTE CHARACTERIZATION & CERTIFICATION
  - TRANSPORTATION SYSTEM OPERATIONS
  - EMERGENCY RESPONSE PREPAREDNESS
  
- OFFICE OF INTERGOVERNMENTAL AND EXTERNAL AFFAIRS
  
- OFFICE OF INSTITUTIONAL PROGRAMS

## LEGAL AND REGULATORY DRIVERS

- 1981 LAWSUIT BY THE STATE OF NEW MEXICO
  - CONSULTATION AND COOPERATION AGREEMENT
  - SUPPLEMENTAL STIPULATED AGREEMENT
  
- WIPP LAND WITHDRAWAL ACT (PUBLIC LAW 102-579)
  - SPECIFIES VARIOUS REQUIREMENTS FOR WIPP OPERATIONS AND ACTIVITIES
  - ESTABLISHES REGULATORY ROLES/RESPONSIBILITIES
  - PROVIDES FOR TECHNICAL AND FINANCIAL ASSISTANCE TO AFFECTED ENTITIES
  
- KEY REGULATIONS IMPACTING ON TRANSPORTATION OPERATIONS
  - EPA DISPOSAL STANDARDS (40 CFR 191), COMPLIANCE CRITERIA (40 CFR 194), AND LAND DISPOSAL RESTRICTIONS (40 CFR 268)
  - NEW MEXICO HAZARDOUS WASTE ACT (RCRA PART B PERMIT REQUIREMENTS)
  - DOT HIGHWAY ROUTING CRITERIA (49 CFR 397.101)
  - NRC TRANSPORTATION PACKAGING REQUIREMENTS (10 CFR 71; "TRAMPAC" CRITERIA)
  - OSHA EMERGENCY RESPONSE STANDARDS (29 CFR 1910.120)

- **STATE OF NM'S PRIMARY RESPONSIBILITY WITH REGARD TO THE WIPP PROJECT**

- ENSURE ADEQUATE PROTECTION OF PUBLIC HEALTH, SAFETY, AND THE ENVIRONMENT
- RESPONSIBILITY EXTENDS TO BOTH CURRENT AND FUTURE GENERATIONS

- **NEW MEXICO'S WIPP PROGRAM STRATEGY**

- REGULATE WIPP UNDER THE NEW MEXICO HAZARDOUS WASTE ACT (RCRA PART B PERMIT)
- VERIFY DOE COMPLIANCE WITH ALL APPLICABLE LAWS AND REGULATIONS (e.g., THOSE LISTED IN DOE'S BIENNIAL ENVIRONMENTAL COMPLIANCE REPORT)
- PARTICIPATE IN RELEVANT FEDERAL RULEMAKINGS (40 CFR 191, 194, 268) AND PERMITTING PROCESSES
- REVIEW, ANALYZE, AND COMMENT ON WIPP TECHNICAL REPORTS AND OTHER SUPPORTING PROJECT DOCUMENTATION (PERFORMANCE ASSESSMENT)
- MONITORING AND OVERSIGHT OF WIPP ACTIVITIES

● **NEW MEXICO RADIOACTIVE WASTE TASK FORCE**

-- CREATED BY STATUTE IN 1979 [74-4A-6 NMSA 1978]

-- COMPOSED OF THE CABINET SECRETARIES OF SIX NEW MEXICO STATE AGENCIES:

1. ENERGY, MINERALS & NATURAL RESOURCES DEPT.
2. ENVIRONMENT DEPARTMENT
3. DEPARTMENT OF PUBLIC SAFETY
4. DEPARTMENT OF HEALTH
5. STATE HIGHWAY AND TRANSPORTATION DEPARTMENT
6. TAXATION AND REVENUE DEPARTMENT

-- CHAIRMAN AND VICE-CHAIRMAN OF THE JOINT INTERIM RADIOACTIVE AND HAZARDOUS MATERIALS OF THE NEW MEXICO LEGISLATURE SERVE AS ADVISORY MEMBERS

-- STATE FIRE MARSHAL'S OFFICE PARTICIPATES AS AN *AD HOC* MEMBER OF THE TASK FORCE

● **NEW MEXICO RADIOACTIVE WASTE TASK FORCE**  
**(continued)**

-- STATUTORY DUTIES OF THE TASK FORCE:

- \* NEGOTIATE ON BEHALF OF THE STATE OF NEW MEXICO WITH THE FEDERAL GOVERNMENT IN ALL AREAS RELATING TO THE SITING, LICENSING AND OPERATION OF NEW FEDERAL DISPOSAL FACILITIES FOR HIGH-LEVEL, TRANSURANIC AND LOW-LEVEL RADIOACTIVE WASTE
  
- \* IDENTIFY, ASSESS, AND DISSEMINATE INFORMATION ON IMPACTS OF SUCH FEDERAL RADIOACTIVE WASTE DISPOSAL FACILITIES
  
- \* COORDINATE THE INVESTIGATIONS AND STUDIES UNDERTAKEN BY ALL STATE AGENCIES RELATING TO THOSE FEDERAL FACILITIES

-- OTHER PRIMARY DUTIES AND FUNCTIONS

- \* CONDUCT 3-4 PUBLIC MEETINGS PER YEAR
  
- \* COORDINATE THE STATE'S WIPP TRANSPORTATION SAFETY PROGRAM

## WIPP TRANSPORTATION SAFETY PROGRAM

- PARTICIPANTS AND AFFECTED ENTITIES

- FEDERAL GOVERNMENT (DOE, DOT, EPA, NRC, OSHA)

- STATE GOVERNMENTS

- \* NEW MEXICO (HOST STATE)

- \* STATES WITH DOE STORAGE SITES (10 TOTAL)

- \* CORRIDOR STATES (26 TOTAL)

- TRIBAL GOVERNMENTS (41 TOTAL)

- \* NAVAJO NATION

- \* PUEBLO OF ACOMA

- \* PUEBLO OF LAGUNA

- \* PUEBLO OF NAMBE

- \* PUEBLO OF POJOAQUE

- \* PUEBLO OF SAN ILDEFONSO

- \* PUEBLO OF TESUQUE

- LOCAL GOVERNMENTS

- \* COUNTIES

- \* MUNICIPALITIES

- OTHER

- \* MONITORING AND OVERSIGHT ORGANIZATIONS

- e.g., NATIONAL ACADEMY OF SCIENCES,  
ENVIRONMENTAL EVALUATION GROUP

- \* PRIVATE INDUSTRY (CONTRACTORS/SUPPLIERS)

- \* ENVIRONMENTAL/PUBLIC INTEREST GROUPS

- \* GENERAL PUBLIC ALONG THE ROUTE AND OTHERWISE

- MANY DIVERSE PLAYERS--ALL OF WHICH CAN MAKE SIGNIFICANT CONTRIBUTIONS TO THE SAFETY OF THE WIPP SHIPPING CAMPAIGN

# WIPP TRANSPORTATION SAFETY PROGRAM

- PROGRAM EVOLUTION

- NATIONAL/REGIONAL TRANSPORTATION CONCERNS
- COORDINATION THROUGH A REPRESENTATIVE ORGANIZATION (WESTERN GOVERNORS' ASSOCIATION)
- EXECUTION OF A DOE/WGA/STATE COOPERATIVE AGREEMENT IN 1990

- PROGRAM PHILOSOPHY AND METHODOLOGY: ENSURE ADEQUATE PROTECTION OF PUBLIC HEALTH, SAFETY AND THE ENVIRONMENT

- WORK COOPERATIVELY WITH DOE AND OTHERS TO:
  - \* ASSESS THE ADEQUACY OF THE WIPP TRANSPORTATION SYSTEM
  - \* RECOMMEND SYSTEM ENHANCEMENTS
  - \* PROVIDE INDEPENDENT OVERSIGHT/MONITORING
- PROVIDE FOR EFFECTIVE COORDINATION AND COMMUNICATIONS WITH ALL AFFECTED ENTITIES

- PROGRAM STRUCTURE

- ACCIDENT PREVENTION
- EMERGENCY RESPONSE PREPAREDNESS
- PUBLIC AWARENESS, INFORMATION AND PARTICIPATION

# WIPP TRANSPORTATION SAFETY PROGRAM

- ACCIDENT PREVENTION
  - HIGH-QUALITY DRIVERS AND CARRIER COMPLIANCE WITH APPLICABLE LAWS AND REGULATIONS
    - \* DOE TRANSPORTATION CONTRACT
    - \* CARRIER MANAGEMENT PLAN
    - \* INDEPENDENT RECORDKEEPING/SITE AUDITS BY STATE OFFICIALS
  - RADIOLOGICAL/MECHANICAL INSPECTIONS OF SHIPMENTS
  - PROCEDURES AND PROTOCOLS FOR HANDLING ADVERSE DRIVING CONDITIONS (e.g., BAD WEATHER, ROAD CONSTRUCTION)
  - GUIDANCE FOR THE SELECTION AND USE OF SAFE PARKING AREAS IN EMERGENCY SITUATIONS
  - ADVANCE NOTIFICATION AND MONITORING OF SHIPMENTS (TRANSCOM SYSTEM)
  - ROUTE DESIGNATIONS

# WIPP TRANSPORTATION SAFETY PROGRAM

- EMERGENCY RESPONSE PREPAREDNESS
  - PLANS AND PROCEDURES FOR RESPONDING EFFECTIVELY TO A WIPP TRANSPORTATION ACCIDENT
    - \* RADIOLOGICAL HEALTH
    - \* FIRE PROTECTION
    - \* LAW ENFORCEMENT
    - \* EMERGENCY MEDICAL (EMTs/HOSPITALS)
  - TRAINING, DRILLS AND EXERCISES
    - \* USE OF STATE TRAINING ACADEMIES, AS WELL AS COMMUNITY-BASED PROGRAMS
    - \* INCLUDES CLASSROOM TRAINING, FUNCTIONAL DRILLS, AND FULL-SCALE FIELD EXERCISES
  - EQUIPMENT AND SUPPLIES
    - \* RADIATION DETECTION
    - \* RADIATION PROTECTION
    - \* TRY TO ADDRESS OTHER HAZARDS WHERE POSSIBLE

## WIPP TRANSPORTATION SAFETY PROGRAM

- PUBLIC AWARENESS, INFORMATION AND PARTICIPATION
  - DEVELOPMENT AND DISSEMINATION OF TIMELY, ACCURATE INFORMATION
    - \* MANY AND VARIED AFFECTED "PUBLICS"
    - \* EACH INDIVIDUAL HAS UNIQUE FRAME OF REFERENCE AND INFORMATION REQUIREMENTS
  - DEAL HONESTLY AND STRAIGHTFORWARD WITH PUBLIC
  - MULTI-FACETED APPROACH TO PUBLIC OUTREACH
    - \* DIRECT MAILINGS
    - \* PUBLIC MEETINGS/WORKSHOPS
    - \* ELECTRONIC BULLETIN BOARDS
    - \* "800" LINES
    - \* TECHNICAL CONFERENCES/PUBLICATIONS
  - PROVIDE OPPORTUNITIES FOR INTERESTED/AFFECTED "PUBLICS" TO PARTICIPATE IN PROGRAM PLANNING AND DEVELOPMENT

# WIPP TRANSPORTATION SAFETY PROGRAM

## ● WIPP ROUTE DESIGNATION PROCESS

-- FEDERAL REGULATIONS (40 CFR 397.101) REQUIRE THAT CERTAIN SHIPMENTS OF RADIOACTIVE MATERIALS TRAVEL OVER "PREFERRED ROUTES"

\* AS A MATTER OF POLICY, DOE HAS DETERMINED THAT ALL WIPP SHIPMENTS WILL BE SUBJECT TO THIS REQUIREMENT

-- UNDER THE APPLICABLE U.S. DEPARTMENT OF TRANSPORTATION REGULATIONS, INTERSTATE SYSTEM HIGHWAYS ARE CONSIDERED PREFERRED ROUTES

-- THESE REGULATIONS ALSO PROVIDE STATES THE AUTHORITY TO DESIGNATE THEIR OWN PREFERRED ROUTES AS AN ALTERNATIVE TO, OR IN ADDITION TO, ONE OR MORE INTERSTATE SYSTEM HIGHWAYS

-- THE STATE OF NEW MEXICO DETERMINED THAT THE DESIGNATION OF ROUTES FOR WIPP SHIPMENTS WAS IN ITS BEST INTERESTS

\* INTERSTATE HIGHWAYS INTERSECT MAJOR POPULATION CENTERS IN THE STATE

\* INTERSTATE HIGHWAYS DON'T EXTEND TO THE WIPP SITE; SHORTEST-DISTANCE ROUTE FROM NEAREST INTERSTATE WOULD HAVE HAD TO BE USED

-- IN NEW MEXICO, STATE HIGHWAY COMMISSION IS THE "STATE ROUTING AGENCY" FOR DESIGNATION PROCESS

● WIPP ROUTE DESIGNATION PROCESS (CONTINUED)

- CONSEQUENTLY, A COMPARATIVE ROUTE ANALYSIS WAS CONDUCTED IN ACCORDANCE WITH FEDERAL GUIDELINES [Guidelines for Selecting Preferred Highway Routes for Highway Route Controlled Quantity Shipments of Radioactive Materials, DOT/RSPA/HMS/92-02, August 1992]
  - \* GUIDELINES PROVIDE A METHODOLOGY FOR ANALYZING/COMPARING ALTERNATIVE ROUTES
  - \* UNIVERSITY OF NEW MEXICO PROFESSOR WITH 20+ YEARS EXPERIENCE IN TRANSPORTATION PLANNING/ENGINEERING PERFORMED THE ANALYSIS
  - \* A TOTAL OF 16 ALTERNATIVE ROUTES WERE ANALYZED
  
- WIPP ROUTES WERE THEN PROPOSED TO THE STATE HIGHWAY COMMISSION BY THE N.M. HIGHWAY & TRANSPORTATION DEPARTMENT
  
- COMMISSION SOLICITED PUBLIC COMMENTS ON THE PROPOSED ROUTES
  - \* DIRECT MAILINGS TO POTENTIALLY AFFECTED LOCAL AND TRIBAL GOVERNMENTS, AS WELL AS TO ADJACENT STATES (ARIZONA, COLORADO, TEXAS)
  - \* SERIES OF PUBLIC HEARINGS
  
- COMMISSION CONSIDERED ALL WRITTEN AND ORAL COMMENTS, AND THEN RENDERED ITS DECISION
  
- THE STATE-DESIGNATED WIPP ROUTES HAD TO BE FILED WITH, AND ACKNOWLEDGED BY, THE U.S. DEPARTMENT OF TRANSPORTATION (USDOT) TO BECOME EFFECTIVE; THIS OCCURRED IN SEPTEMBER 1991