

## Letter/Attachment for GTCC EIS Scoping Comment #148



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WESTERN GOVS' ASSOC

NO. 283 P. 1

September 17, 2007

James L. Joyce  
Document Manager  
Office of Regulatory Compliance  
U.S. Department of Energy  
1000 Independence Avenue, SW.  
Washington, DC 20585-0119

Dear Mr. Joyce:

We are writing on behalf of the Western Governors' Association (WGA) Radioactive Waste Transportation Technical Advisory Group (TAG) regarding the U.S. Department of Energy's (DOE) "Notice of Intent to Prepare a Programmatic Environmental Impact Statement for the Disposal of Greater-Than-Class-C Low-Level Radioactive Waste" announced in the Federal Register on July 23, 2007.

The Western Governors are committed to the safe and uneventful transportation of nuclear waste. Six of the eight locations identified in the GTCC Notice of Intent are in the West, which places a disproportionate burden on the WGA states. While we do not advocate for any particular site mentioned in the notice of intent, given the potential impact that the transportation of GTCC waste may have on the Western States, we ask you consider the previously established precedents, protocols, and policies of the Western Governors' Association as part of the Programmatic Environmental Impact Statement (PEIS) scoping process.

WGA has worked with the United States Department of Energy (DOE) for over 20 years to establish best practices for radioactive waste transportation. In 2003, WGA signed a Memorandum of Agreement (MOA) with DOE, which outlines a set of principles that are observed by both the states and the federal government in the transportation of transuranic waste. In particular, the MOA recognizes the WGA WIPP Transportation Safety Program Implementation Guide, developed jointly by WGA and DOE, as a cornerstone of the success and safety record of the WIPP. The protocols and policies put forth in the guide have been successfully employed in other DOE shipping campaigns.

In a similar vein, WGA Resolution 05-23 states that:

*The infrastructure established by the WIPP, Foreign Research Reactor Spent Nuclear Fuel, West Valley Spent Nuclear Fuel, cesium return and nitric acid waste transportation programs should be built upon rather than discarded as being inappropriate and overly conservative in its approach. Several of these shipping campaigns have been successfully completed and received public acceptance as being safe.*

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We urge DOE to include in the PEIS an evaluation of the potential transportation impacts from this program, including:

- **An Evaluation of the Risks Associated with Shipments of Radioactive Materials from Facilities.** This analysis should include an evaluation of the health and safety risks for normal transport, accident conditions and security risks (sabotage, attacks and theft while in transport) from these shipments, as well as the impacts from the projected increase in number of shipments over existing plans.
- **Waste Characteristics and Number of Shipments:** The analysis should include the estimated amount of waste by the sources and general characteristics of the GTCC and "GTCC-like" waste; a description of the expected representative and bounding radionuclide inventories, the mode and number of GTCC and "GTCC-like" shipments, shipment packages, shipment origin and destination points, and the expected or representative routes.
- **Transportation Impacts Resulting from Normal Transport, Accident Conditions, and Malevolent Acts:** The impact analysis should consider the full range of cask types likely to be used. The analysis of accident conditions should cover long duration, high-temperature fires combined with various degrees of crash damage to the shipping cask and its impact limiters. The analysis of malevolent acts should address terrorism, sabotage, and theft, and should examine the response of packages to credible malevolent acts.
- **Regulatory Oversight for Package Fabrication, Quality Assurance, and Maintenance and Transportation Operations Safety.**

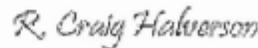
We expect the proposed action and alternatives to describe how and what agency within DOE or the Nuclear Regulatory Commission (NRC) will license and regulate facilities to ensure safety and foster public confidence. We also expect the PEIS to identify packaging options in transporting radioactive materials between facilities and to and from other characterization, treatment, storage and disposal facilities, the risks presented by each of these options, and whether that option meets or exceeds DOE, NRC, and/or U.S. Department of Transportation standards.

Thank you for the opportunity to comment. If you have any questions regarding these comments, please contact us or Alex Schroeder (WGA) at 303-623-9378.

Sincerely,



Anne deLain W. Clark  
State of New Mexico  
Co-Chairman  
WIPP Technical Advisory Group



R. Craig Halverson  
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