



U.S. Department of Energy
Office of Civilian Radioactive Waste Management



Section 180(c) Topic Group Update

Presented to:

Transportation External Coordination Working Group

Presented by:

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Pueblo, CO

History

- **Began work July 2004**
- **Has met at least monthly since then**
- **Membership includes:**
 - **DOE's Office of National Transportation staff**
 - **Representatives of the four State Regional Groups**
 - **Oneida Nation**
 - **Umatilla Tribe**
 - **International Association of Emergency Managers**
 - **Illinois Fire Chiefs' Association**
 - **National Association of Counties**
 - **American College of Emergency Physicians**



Purpose

- **To provide stakeholder input into Department of Energy's (DOE) development of:**
 - **Policy and Procedures**
 - **Grant Application Process and Package**
 - **Pilot Program (not yet begun)**



Goals

- **Identify and discuss issues associated with Section 180(c) policy development.**
- **Discuss each implementation issue, options, and considerations.**
- **Develop issue papers on specific implementation issues with recommendations to the Office of Civilian Radioactive Waste Management (OCRWM).**



Outcomes

- **Policy and Procedures document**
 - Identified 12 issues or decisions
 - Wrote 12 issue papers to reflect discussion
 - Reached consensus on 9 issues

- **Grant Application Package**
 - Work continues on program goals, merit review criteria, and guidance document



Draft Policy and Procedures

- **9 Consensus Issues**

- **Proposed Policy Statement**

- **Funding Distribution**: Direct grants to states and tribes

- **Timing and Eligibility**: Funding begins 4 years prior to initial shipment. Eligibility is determined by whether shipments travel in or through a state or tribal lands.



Draft Policy and Procedures

- **9 Consensus Issues (cont'd)**

- **Allowable Activities**: Recipients have discretion. Proposed activities must match program goals and be approved through grant review process.
- **Pass-through of Funds**: No pass-through requirement but states must indicate how local officials will benefit.
- **Definitions**: Definition of Public Safety Official includes hospital personnel.



Draft Policy and Procedures

- **9 Consensus Issues (cont'd)**
 - **Contingency Routing**: Routing along under- or unprepared routes will be negotiated between DOE and the state or tribe.
 - **Rulemaking**: DOE will announce the scope and timing of a rulemaking by December 2005.
 - **Matching Funds**: There will be no requirement for matching funds.



Draft Policy and Procedures

- **3 Non-Consensus Issues**

- **Funding Allocation**: whether to allocate discretionary funds according to a risk-based formula or a needs assessment. (recommended base grant is \$200,000/100,000)
- **State Fees**: DOE has not announced how it will handle state fees.
- **Funding Operational Activities**: DOE has not announced a position on this.



Grant Application Package

- **These aspects of the Grant Application Package will be discussed further at tomorrow's Topic Group meeting:**
 - Program goals
 - Merit review criteria
 - Guidance document



Next Steps

- **Discuss grant application package during Topic Group meeting on 9/22/05.**
- **Topic Group on hiatus until *Federal Register Notices* (FRNs) are published.**
- **Draft FRNs enter DOE concurrence process in October.**
 - Issue papers provide basis for recommendations to DOE management
- **Draft FRNs scheduled for publication in December, 2005.**
 - Public will be invited to review and comment
- **Discussions with Tribal nations will accelerate.**



Next Steps

- **Topic Group will resume after FRNs publication. Will discuss:**
 - Arising implementation issues
 - Pilot Program
- **Final FRNs scheduled for publication in fall of 2006.**
- **Pilot program scheduled for 2007.**



Conclusion

- **Topic Group has worked hard and had significant impact on the structure of the Section 180(c) program.**
- **DOE believes the interactions have resulted in a program that works well for both the OCRWM program and the participants in the Section 180(c) program.**

