



U.S. DEPARTMENT OF  
**ENERGY**

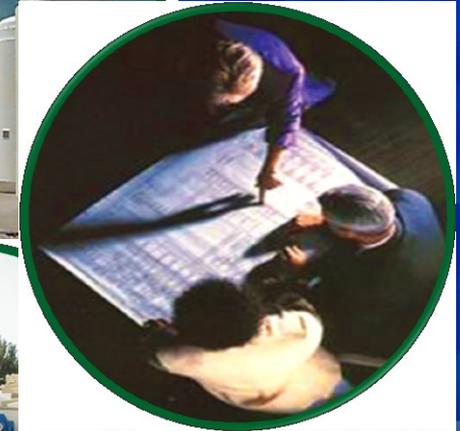
Nuclear Fuels Storage & Transportation Planning Project  
Office of Fuel Cycle Technologies

**Nuclear Energy**

# Update on the Section 180(c) Proposed Policy Implementation Exercise

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Tribal Caucus Winter Meeting  
January 26-27, 2016  
Palm Springs, CA



# What is Section 180(c)?

## Nuclear Waste Policy Act (1987 Amendments):

**“The Secretary [of Energy] shall provide technical assistance and funds to States for training for public safety officials of appropriate units of local government and Indian tribes through whose jurisdiction the Secretary plans to transport spent nuclear fuel or high-level radioactive waste [to an NWPA-authorized facility].”**

- The training shall cover procedures for safe routine transportation of these materials and procedures for dealing with emergency response situations.
- Covers all modes of transport



# History

- **1987** – Included in amendments to the Nuclear Waste Policy Act
- **1990's** – DOE makes attempts to implement, but program is redirected in 1998
- **2000's** – DOE resumes efforts through stakeholder working group
- **2008** – DOE publishes a Federal Register Notice with a proposed Section 180(c) Policy
- **2010** – Office of Civilian Radioactive Waste Management is closed
- **2010** – President charts the Blue Ribbon Commission on America's Nuclear Future
- **2010** – DOE forms the National Transportation Stakeholders Forum (NTSF)
- **2012** – Blue Ribbon Commission issues their final report to DOE
- **2012** – DOE establishes the Nuclear Fuels Storage and Transportation Planning Project
- **2012** onward – DOE resumes 180(c) activities through the NTSF 180(c) ad hoc working group

# Exercise Overview 1

- **Spring 2013 – Working Group endorsed the idea of an exercise**
- **Spring 2014 – Working Group asked DOE to write a proposal for the Exercise design**
- **Fall 2014 – Working Group met in Atlanta to discuss DOE draft Exercise proposal**
- **Late 2014/early 2015 – Section 180(c) Propose Policy Implementation Exercise began**
  - Originally envisioned as a 6 month paperwork exercise
  - A few months in, Exercise volunteers expressed interest in expanding the scope of the Exercise to serve as a template for future needs
  - Exercise was modified to accommodate expanded scope and timeline



# Exercise Overview 2

## ■ 1 tribal volunteer and 8 state volunteers



# Exercise Scope 1

- **DOE prepared mock funding application documents**
  - Two phases: 1. Assessment and Planning; 2. Training Application
- **DOE gave volunteers a mock shipping schedule and shipment volume, volunteers selected mock routes**
- **Volunteers submitted a mock Assessment and Planning application**
- **DOE established a “Mock” Merit Review Panel**
  - Panel reviewed A&P applications

# Exercise Scope 2

- **Volunteers submitted a mock application for 1<sup>st</sup> two years of training funds (pre-shipments)**
  - Panel Reviewed Training Applications
- **Volunteers will submit a mock application for 2<sup>nd</sup> two years of training including one year of active shipment operations**
  - Panel Will Review Remaining Training Applications
- **Exercise will conclude at the 2016 NTSF Annual Meeting**
- **Followed by lessons learned and recommendations**



# Merit Review Panels

Typical DOE Merit Review Panel	Exercise's Mock Merit Review Panel
<p><u>3-5 DOE staff members</u></p> <ul style="list-style-type: none"><li>• Procurement person (1-2)</li><li>• Program person (1 or 2), may or may not be a subject matter expert for the proposed work scopes</li><li>• Program manager</li></ul>	<p><u>7 members total</u></p> <ul style="list-style-type: none"><li>2 DOE contractors (T. Runyon, E. Helvey)</li><li>1 DOE-NE (E. Bickford)</li><li>1 WIPP transportation staff (A. Walker)</li><li>1 Tribal Fire Chief (R. Burnside)</li><li>1 State Official (K. Leuer, MN)</li><li>1 DOE-ID Procurement Official (Occasional Participation – providing procurement input and clarifications)</li></ul>
<p>Subject matter experts, from outside DOE, may be asked to review and provide input to the Merit Review Panel.</p> <ul style="list-style-type: none"><li>• They have no decision authority.</li></ul>	<p>The members of this mock panel had not participated in a merit review panel before. The process was as instructive for them as for the volunteers.</p>

# Observations

- **Exercise has been valuable for both DOE and Volunteers**
- **Concept of Operations:** Applicants indicated they need DOE to provide a “concept of operations” to determine their training needs, and in turn present DOE with their operational plans
- **Levels of Training:** Some volunteers were not sure what levels of training they should plan for – requires further discussion
- **Cooperative Agreements vs Grants:** On DOE’s side, the procedures are nearly identical, but Cooperative Agreements include substantial involvement from DOE in implementing the activities. Volunteers included substantial involvement from DOE in their mock applications (eg. attending public meetings, providing technical assistance), but for some states, Cooperative Agreements create more difficulties on the state government side.
- **Honoraria:** Procurement clarified that honoraria for tribal council member participation in tribal 180(c) activities can be an allowable cost with sufficient justification

# Exercise Next Steps

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- March 1, 2016:**                      **Volunteers finish grant applications**
- March 3-4, 2016:**                      **In-person meeting in Washington, DC**
- April/May 2016:**                      **Prepare lessons learned document**
- June 2016:**                              **Section 180(c) WG session to report on lessons learned at annual NTSF meeting**
- 2017:**
- 1) Funding Allocation discussion?**
  - 2) Identify training modules and begin developing them?**
  - 3) Design and walk-through of a more full-scale exercise?**
  - 4) Develop a standardized grant application form?**

# Questions?

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