

Attachment A

RTOC issues on Nuclear Materials, Radioactive Wastes and Other Hazardous Wastes on Indian Lands (from April 19, 2011)

1. Transportation

The transportation of hazardous waste, including nuclear waste, through tribal lands continues to be a concern due to the threat to human health and the environment. Should a spill or incident occur on tribal lands, many of the first responders in Indian Country do not have adequate training to effectively respond to such an emergency. As a result, human health and environmental health on Tribal lands are compromised from the threat and dangers of the radioactive waste or radiation.

Recommendation: Tribes request EPA's support for proper and adequate training of tribal first responders. ITCA staff will facilitate research and coordination with other federal agencies that have various responsibilities relating to this topic. In addition, Tribes request proper notification of any transportation of hazardous or nuclear waste (and non-waste radioactive materials) being transported through their lands.

EPA Update

EPA coordinated with various agencies to provide the following information.

Background

Regulation of Radioactive Waste

- Commercial radioactive waste disposal and storage is regulated by the Nuclear Regulatory Commission.
- Federal radioactive waste disposal and storage, primarily from the Department of Energy (DOE), is regulated by DOE.
- EPA, under RCRA, regulates the storage and disposal of mixed waste, which is waste that is both hazardous and radioactive (primarily low level).
- The Department of Transportation (DOT) regulates the transportation of all radioactive waste.

Transportation of Hazardous Waste

- DOT regulates the transportation of hazardous waste.
- Tracking of hazardous waste could only be done if you know the disposal facility or the generator. It is not tracked by route.

- If you were interested in a particular hazardous waste generator or disposal facility, you could get information on the materials generated or sent to a particular site by reviewing the manifests (transport records) for the facility. California hosts all manifests on a website (hwts.dtsc.ca.gov). For manifest for Arizona and Nevada facilities, you would have to contact those states.
- Tribes could require generators of hazardous waste, located on the reservation, to send them a copy of all manifests to and from the facility.

See Attachment E: Advance Notification to Native American Tribes of Transportation of Certain Types of Nuclear Waste

Training

Training for radiological transportation incidents and also for response to incidents involving radioactive materials in general:

- DOE through the Transportation Emergency Preparedness Program (TEPP) offers emergency response radiological transportation training for responders (*fire, law enforcement, hazmat teams, emergency management, public information officers, and other interested individuals*) who may respond to incidents involving DOE radioactive materials in transport. However, response to radioactive materials is the same whether those materials are owned by DOE or by a medical supplier or at a fixed facility (*though the facility response may involve differing protocols*).
http://www.em.doe.gov/Transportation/TEPP_Home.aspx
- **Please have interested Tribes contact Marsha Keister at (208) 526-0754, or e-mail at - marsha.keister@inl.gov - if they would like more information or if they would like to schedule a class.**
- The TEPP training is provided for no charge to Tribes (and States). Instructors, supplies and materials will be brought to a training facility supplied by the Tribe.
- DOE asks only that the Tribal sponsoring organization provide the training facility and register the students. It is very helpful if the facility has a projector and set up for training so the instructors can bring their laptops and hook into the system.
- There is no cost to the tribes as the instructors pay for their own travel.
- Interested Tribes may want to schedule this federal fiscal year as funding for FY2012 is very uncertain.
- Attached are list of the topics covered in a typical "Modular Emergency Response Radiological Transportation Training" (MERRTT) course and a little narrative about the course.
- An alternative to this course is also included in the FEMA Independent Study program and is listed as IS-302: Modular Radiological Response Transportation Training. However, this course is a refresher version and assumes the student has some radiological background. <http://www.training.fema.gov/emiweb/IS/IS302.asp>

- Additional FEMA courses include IS-301: Radiological Emergency Response <http://training.fema.gov/EMIWeb/IS/is301.asp> and S-301: Radiological Emergency Response Operations.

Agencies' contacts

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2. Tribes being prepared for radioactive incidents (e.g., fallout, melt down, etc). Tribes have expressed great concern that they are ill-prepared for such catastrophic events.

Recommendation: Tribes request EPA's support for resources, training and expertise in emergency planning and preparedness. Some of the training and expertise could be provided by EPA's Emergency Response Team, in conjunction with the Federal Emergency Management Agency. Again, ITCA staff can facilitate coordination with other federal agencies that have various responsibilities relating to this topic.

Recommendation: Request to have EPA provide a presentation to tribes on its role and responsibilities in relation to this important and timely topic. In addition, provide guidance in identifying other federal agencies that may assist with training, communication, preparedness, etc.

EPA Update

EPA can provide various training on our roles and responsibilities - how we can help etc. EPA can also provide hazardous waste shipping training (but not radiation). We can give a presentation on our jurisdiction and role in a radiation event - based on the EPA "Rad Play Book". **Angie, should we schedule a presentation?**

- Additional FEMA courses include IS-301: Radiological Emergency Response <http://training.fema.gov/EMIWeb/IS/is301.asp> and S-301: Radiological Emergency Response Operations.