

**Principles of Agreement among States
on Expectations Regarding Preparations for NWPAs Shipments
May 15, 2014**

These principles identify the expectations of the states for a fully functioning program for transporting spent nuclear fuel and high-level radioactive waste. The states developed these principles in 2005 specifically with regard to the implementation of Section 180(c) of the Nuclear Waste Policy Act (NWPA). In 2014, the states revised the principles and expanded them beyond the limited scope of Section 180(c).

States will incur significant costs in connection with shipments to facilities for storage and/or disposal, including training, inspections, tracking, escorting, and public information activities. Shipment-related activities carried out by the states directly contribute to safe, routine transportation and public acceptance of nuclear waste shipments. Congress established the Nuclear Waste Fund to "...ensure that the costs of carrying out activities relating to the disposal of...waste and spent fuel will be borne by the persons responsible for generating such waste and spent fuel" (NWPA Section 111(b)(4)). For this reason, the states expect their shipment-related costs to be covered by the Nuclear Waste Fund.

1. Recognizing that the public will hold NWPAs shipments to a higher standard than that for other DOE shipments, DOE must not only meet the standard set by the Waste Isolation Pilot Plant program but exceed those requirements by adopting reasonable measures that will minimize public risk and maximize public confidence in the transportation program. These measures should be detailed in a comprehensive transportation plan for NWPAs shipments that is developed in cooperation and consultation with the affected states.
2. DOE must provide the states with funds and technical assistance for identified needs for transportation safety programs as long as shipments are planned along a shipping corridor.
3. Funding to states must be predictable to ensure program continuity.
4. DOE must continue to support the State Regional Groups to ensure consistency and compatibility of shipment planning activities.
5. The states expect to interact directly with DOE regarding all NWPAs matters including the selection of routes to be used for shipping. DOE should not delegate these responsibilities to a contractor.
6. States will need predictability with regard to shipment scheduling. Long- and short-term scheduling of shipments must be done in a way that avoids lapses and promotes the efficient use of federal, state, local, and tribal resources for planning and preparing for shipments.
7. To help ensure the safe and secure transport of shipments under the Nuclear Waste Policy Act, the overall objective of the 180(c) program must be to assist states in developing the capability to help prevent accidents/incidents and respond in a timely, appropriate fashion to emergencies involving spent nuclear fuel and high-level radioactive waste shipments.
8. To maximize the effectiveness of the Section 180(c) program, the states must know which routes DOE will use prior to applying for assistance. Once routes have been identified, states must have sufficient time (i.e., 48 – 60 months) to prepare those routes before shipments begin. The Section 180(c) program must make it possible for states to receive funds and technical assistance at least four years prior to the start of shipments.
9. The Section 180(c) program must give the states maximum flexibility to implement accident prevention and emergency management programs that best meet their needs. The states, in turn, will be accountable for documenting that the assistance they receive from DOE is, indeed, accomplishing the overall goal of the Section 180(c) program.