

February 28, 2013

Dear Chairman Wilson and Compact Commissioners,

**Regarding fires:** There have been high winds recently in Andrews County, which can spread wildfires rapidly and be a factor in transportation accidents. SEED Coalition asked in our Feb. 27, 2013 comments whether any special precautions are being taken to prevent fires at the WCS site.

Eight acres burned in an Andrews County grass fire this week. A 2012 fire occurred near the state line. It is unclear how close this was to the WCS site. Eunice, New Mexico lies about five miles west of the WCS site, in Lea County, where 90,000 acres burned between January and March last year.

**Regarding transportation accidents:**

The articles included here about accidents in Andrews and Midland Counties clearly show why transportation safety is especially important for shipments going to West Texas. There have been some very serious accidents in the region. A February 20, 2013 article headline reads "Midland County averages a death every six days on its roads." Midland is 44 miles from Andrews, Texas.

**One of the articles shows an 18-wheeler truck that blew over just this Monday on Highway 176 in Andrews County.** It went into a broadside skid, jackknifed and hit a telephone pole. The location given in the article is 20 miles west of Andrews, so the accident appears to have been 10 miles or so from the WCS site. The report fails to state what the truck was carrying or where it was going to or from. What if the truck had been hauling radioactive waste?

We believe that in order to best ensure public health and safety, radioactive waste routes should be designated, as required by Public Law 105-235 -the Compact Consent Act- which clearly states that the host state (Texas) shall "(8) Identify and regulate, in accordance with federal and host state law, the means and routes of transportation of low-level radioactive waste in the host state."

The Texas Department of State Health Services is responsible for doing so and has the needed authority, but

has not designated transportation routes. The Compact Commission should not approve additional waste importation allocations until routes have been identified. People have a right to know which routes may have trucks on them that are carrying radioactive waste.

SEED Coalition submits these comments and the articles below as part of our testimony for the March 1, 2013 Compact Commission.

Thank you, Karen Hadden, SEED Coalition

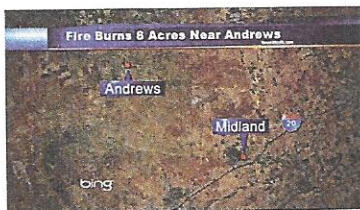
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***Posted: Feb 28, 2012 7:50 PM***

***CST Updated: Feb 28, 2012***

***8:21 PM CST***

***<http://www.kwes.com/story/17040762/fire-crews-contain-grassfire-near-andrews>***

**Fire Crews Contain Grassfire Near Andrews**



**Staff Report *NewsWest 9***

NEAR ANDREWS - Andrews fire crews got lucky on Tuesday afternoon. They managed to put out a grassfire before the wind sent it out of control. We're told the blaze sparked up around 2:30 p.m. Tuesday afternoon in the median of Highway 385, just south of Andrews.

The fire burned about eight acres before Andrews fire crews contained it. Fire crews are keeping an eye out for any hot spots to make sure the fire doesn't start back up.

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From last year:

## **Andrews County fire still burning near state line**

August 27, 2012 = Updated 6 months ago | BY NATHANIEL MILLER ([http://m.oaoa.com/article\\_c2c285f4-6d47-5600-aa22-8efa7a455621.html](http://m.oaoa.com/article_c2c285f4-6d47-5600-aa22-8efa7a455621.html))

**ANDREWS COUNTY** Chief Richard Cummings with the Eunice N.M. Volunteer Fire Department stands at the Texas/New Mexico border and watches the smoke rise off in the distance in different directions. The light changes in the weather seems to please him.

"The wind is variable today," Cummings said. "We got better weather than we had yesterday."

Cummings and the Eunice Volunteer Fire Department, along with the Jal N.M. Volunteer Fire Department, were called in to assist in the Frying Pan Fire in Andrews County that sparked up Thursday afternoon.

Some volunteer firefighters have been working since they were first called out and into the early hours of Friday morning. As the crews waited at the state line, some rested under the shade from their fire trucks and tried to catch a few minutes of sleep.

**"I went out to help yesterday, didn't get home till 5 in the morning, and was back out at 8 a.m.,"** Eunice Volunteer Firefighter Jesse Cueto said. "It's an adrenaline rush, and we're helping the community."

The extent and area of the fire in Andrews County is still uncertain as of Friday afternoon. Mike Cook, the 9-1-1 dispatch supervisor in Andrews County and also a volunteer firefighter, said the fire has burned between 90,000 and 100,000 acres and was 40 percent contained. However, Nicole Hawk with the Texas Forest Service said the fire was estimated at burning between 20,000 and 40,000 acres and also said the fire was 40 percent contained as of Friday evening.

Hawk was also uncertain if any homes or oil rigs were destroyed or threatened and if any injuries were sustained since the fire started.

Several roads were closed such as State Highway 115 from 181 to 128 because of heavy smoke or fire on the road. Texas Department of Transportation crews were directing all traffic going to Jal, N.M. through Kermit up State Highway 18.

Chief Deputy George Keely with the Winkler County Sheriff's Office said deputies were helping enforce road closures and actively monitoring for any fires that have sparked up near the town.

"As of now, there is not immediate threat to Winkler County from the existing fire," Keely said.

Kermit, along with Wink Andrews and the Texas Forest Service, were working the fire Friday. Hawk said the TFS has sent ground crews, helicopters, bulldozers and had dropped water and fire retardant on the fire Friday.

"We were more successful in getting air support in today," Hawk said.

Units from New Mexico assisted Thursday but were not called in Friday, Cook said.

Lea County Emergency Manager Lorenzo Velasquez said the fire originally began southeast of Eunice and was quickly carried across the border by the winds. Lorenzo said the state will send help when requested, but that the county has had its own problems with fire.

**"Between the months of January and March, Lea County has seen more than 90,000 acres burned,"** Velasquez said.

As bulldozers paved the way along the highway to create fire breaks, ditches that help lessen the chance of the fire jumping across the highways, Cummings continued to watch as black and white smoke blew in the distance.

"I've been a firefighter for 26 years and this is one of the top two or three driest seasons I've seen my entire career," Cummings said.

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With clouds of smoke billowing into the air, firefighting crews from Eunice and Jal, New Mexico wait at the state line as the fire approaches Friday afternoon along Highway 128.

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## **Windy conditions result in semi accident, downed power lines**

Local News - Published on: February 27, 2013 (Andrews County News)

[http://www.andrewscountynews.com/news\\_article.php?id=2040](http://www.andrewscountynews.com/news_article.php?id=2040)

**Strong crosswinds contributed to an 18-wheeler accident Monday morning west of Andrews on Highway 176.**  
--Linda Drake Photo

The extreme weather conditions Monday morning involving 50-mile-per-hour wind gusts, at times, coupled with sub-freezing temperatures resulted in downed power lines around town and an 18-wheeler accident west of Andrews

on State Highway 176, according to authorities.

The area experienced a quick weather turnaround from Sunday, when blue skies and 70-degree temperatures were enjoyed. A drastic change in weather patterns occurred early Monday morning.

The semi truck accident occurred about 20 miles west of town and involved a 2007 Peterbilt truck and trailer, according to Texas Department of Public Safety Trooper Ricka McKee. Strong wind gusts and less than favorable traveling conditions were factors in the accident, the state trooper added.

McKee said the 18-wheeler's driver, 44-year-old Ellis Grissom of Arkansas, lost control of the vehicle when strong crosswinds occurred and wet roadways existed. The semi was traveling west when it began to sway due to the blustery winds, according to McKee. Grissom attempted to correct the swaying, but in the process, the vehicle veered to the right before going off the roadway.

As Grissom steered the vehicle right, it went into a broadside skid and the 18-wheeler jackknifed. "The cab tipped onto its side and struck a telephone pole," McKee said.

The 18-wheeler is owned by Texarkana Sugar Hill. Grissom was not injured in the accident. Powers Diesel Service of Seminole towed the semi.

The windy and cold weather also resulted in a small percentage of Oncor customers briefly losing power, as well. Numerous lines were down around town and Oncor employees worked diligently to restore lost power.

A separate accident Sunday five miles west of Andrews on State Highway 176 resulted in minor injuries to the driver of a pickup that rolled, according to DPS Trooper Steve Blanco.

The wreck involved a 2002 Ford Ranger driven by 18-year-old Zachary Garcia of Carlsbad, NM. Blanco said the accident occurred when the vehicle, due to driver inattention, veered to the shoulder and Garcia attempted to overcorrect the steering. The Ranger, traveling east, rolled once and came to rest on its tires in the middle of the roadway, according to the DPS trooper.

A passenger in the pickup, 21-year-old Gerardo Garcia, was transported to Permian Regional Medical Center for treatment of his injuries.

"Both the driver and passenger were wearing seatbelts," Blanco said. Zachary Garcia was not injured.

Blanco also investigated a two-vehicle accident Sunday evening in southeast Andrews County that resulted in minor injuries.

The accident involved a Chevrolet pickup owned by Wade Co. Specialties of Midland and being driven by 43-year-old Kevin Christian of Andrews and a Dodge pickup driven by 21-year-old Angel Espinoza of Andrews.

Blanco said the Chevy was traveling east on SE 1000 and Christian failed to control speed and the vehicle hit the back end of the Dodge.

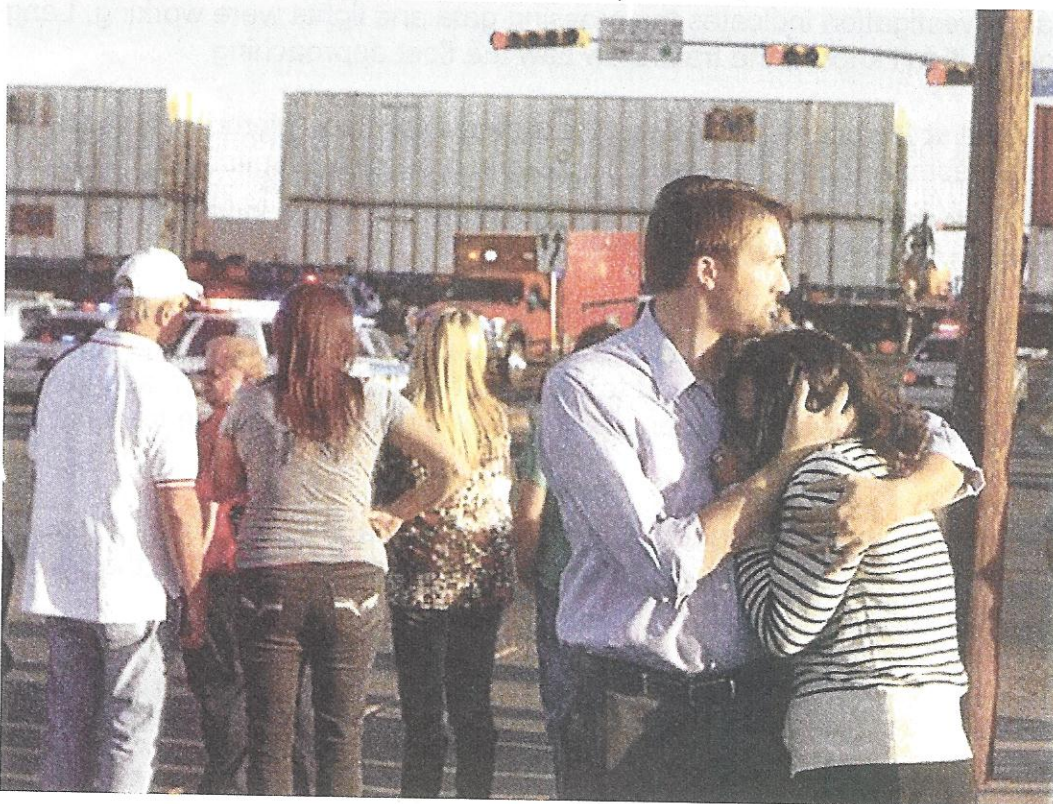
Espinoza was transported to PRMC by Andrews EMS for treatment of minor injuries. Christian was cited for failure to control speed.

Author: SAM KAUFMAN

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**Train slams into float at Texas vets parade; 4 dead (<http://www.usatoday.com/story/news/nation/2012/11/15/texas-train-crash/1707877/>)**

**5:04a.m. EST November 16, 2012**



(Photo: James Durbin, AP)

**Story Highlights**

- A train slammed into a trailer that was carrying a vets, a parade float to the event
- The parade was supposed to end at a "Hunt for Heroes" banquet
- Six people remained hospitalized, including at least one in critical condition

MIDLAND, Texas (AP) — Federal officials are heading to West Texas to join investigators looking into why a freight train slammed into a parade float carrying wounded veterans, killing four people and injuring 17 others.

Witnesses described a harrowing scene Thursday afternoon as the Union Pacific locomotive bore down on the decorated flatbed truck as it tried to clear the rail crossing on its way to an honorary banquet.

The train was sounding its horn and people on the flatbed truck — mostly wounded veterans and their spouses — were scrambling to jump off before the collision around 4:40 p.m. in Midland, according to witnesses and Union Pacific spokesman Tom Lange.

A preliminary investigation indicates the crossing gate and lights were working, Lange said, though he didn't know if the train crew saw the float approaching.

Two people died at the scene, while two others died at Midland Memorial Hospital, City of Midland spokesman Ryan Stout said. Six people remained hospitalized Thursday night, including at least one in critical condition; the other 11 people injured have been treated and released, hospital officials said.

About two dozen veterans and their spouses had been sitting in chairs on the float, set up on the back of a flatbed tractor-trailer decorated with American flags and signs identifying each veteran. Many seemed to panic as the locomotive's horn sounded, said Patricia Howle, who was waiting in her car at a nearby traffic light as the train approached.

"I was on the phone, and I just started screaming," she told The Associated Press late Thursday night. "The truck was on the other side of the train, but I did see the panic on the faces of the people and saw some of them jump off."





Parade participants react after a trailer carrying wounded veterans in a parade was struck by a train in Midland, Texas, on Thursday. (Photo: James Durbin, AP)

The float was among two flatbed tractor-trailers carrying veterans and their spouses. Police said the first truck safely crossed the railroad tracks, but the second truck's trailer was still on the crossing as the train approached.

"The train honked its horn, but the 18-wheeler could not go anywhere because of the other one being right in front of it," said Daniel Quinonez, who was in traffic that had been stopped by sheriff's deputies to allow the parade to pass.

"It was a horrible accident to watch happen right in front of me. I just saw the people on the semi-truck's trailer panic, and many started to jump off the trailer. But it was too late for many of them because the train impacted the trailer so fast," he told the AP.

Several police vehicles remained at the crash scene late Thursday night. Flood lights illuminated the wreck as investigators in reflective vests and hard hats carefully took measurements of the site, which was cordoned off by yellow police tape.

The parade had been scheduled to end at a "Hunt for Heroes" banquet honoring the veterans. The wounded service members were then going to be treated to a deer-hunting trip this weekend. The events were canceled.

The events were organized by Show Of Support, a local veterans group. Its president, Terry Johnson, did not immediately return an email for comment and his phone number was unlisted; the phone rang unanswered at the group's offices.



Midland police, fire and sheriffs respond to an accident where a trailer carrying wounded veterans in a parade was struck by a train in Midland, Texas on Thursday. (Photo: James Durbin AP)

Stout, also the police department's spokesman, said he had no information about the individuals who died or the driver of the truck.

Lange said Union Pacific is offering help to the community and victims' families, as well as peer-to-peer counseling for the train crew, who did not sustain any injuries.

"There is going to be a very thorough investigation," Lange said. "It's obviously a very tragic incident."

The National Transportation Safety Board also is investigating, NTSB spokesman Peter Knudson said.

Secretary of Defense Leon Panetta "was deeply saddened by news of the tragic accident involving veterans heroes and their spouses in Midland," Pentagon spokesman George Little said in a statement. "His thoughts and prayers are with the families of the victims, with those injured in this incident, and with the entire community."

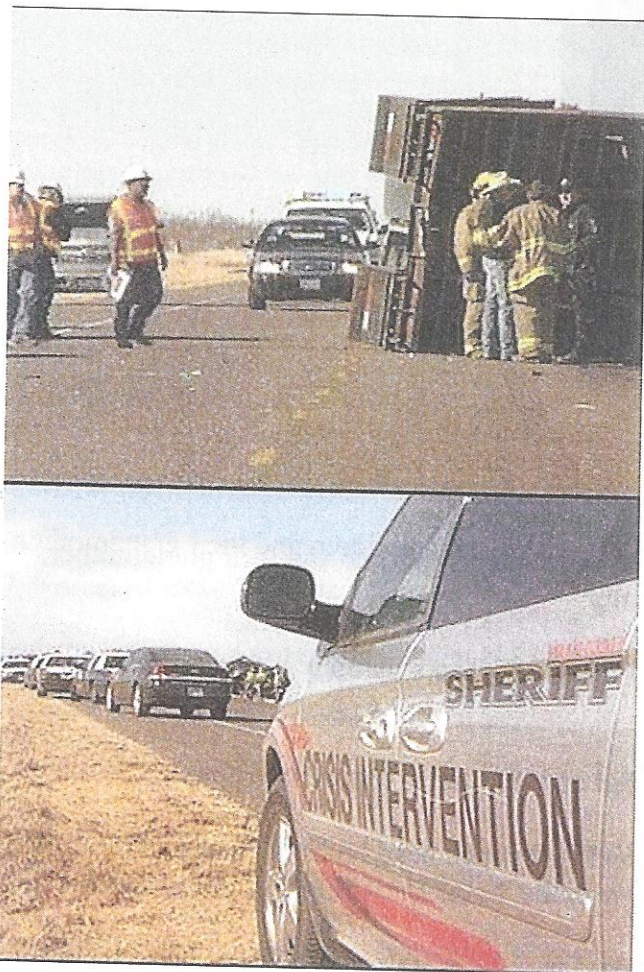
Midland is about 320 miles west of Dallas.

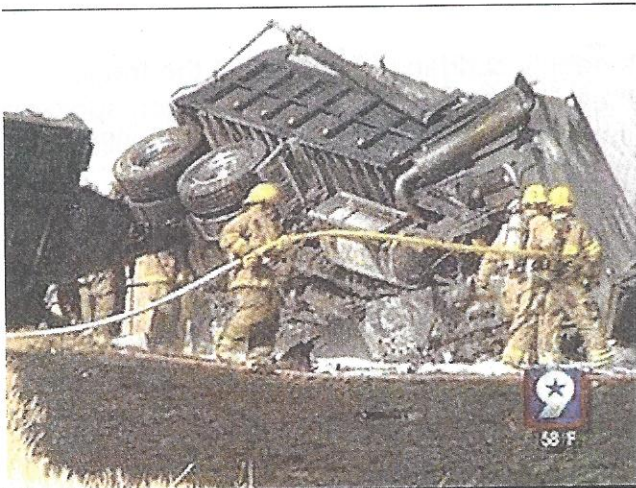
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[www.kwes.com/Global/story.asp?S=13978044](http://www.kwes.com/Global/story.asp?S=13978044)

- Five Killed in Head-On Crash in Andrews County (Feb. 5, 2011)





**By Geena Martinez**  
*NewsWest 9*

ANDREWS COUNTY - Five people, including three young children and their grandmother, died in a tragic head-on crash in Andrews County.

The accident happened Saturday afternoon on FM 1788 when a dump truck and a car crashed head on and burst into flames.

A dump truck and a Volkswagen, badly mangled and it's hard to tell what happened.

"The vehicle drifted into the northbound lane and was struck head on by the truck and it drug it for a few hundred feet," Trooper John Barton, with the Texas Department of Public Safety, said.

Barton said for some reason Deborah Beck veered into the northbound lane of FM 1788 and collided with a dump truck hauling a trailer.

Making this tragedy even worse, her three grandkids were in the car with her.

Beck was following her son and daughter-in-law when the violent crash happened.

"This is one of those tragic incidents," Barton said. "One of those worst possible scenarios to where the family is actually on scene and witnesses it, so it makes it very difficult for everyone involved."

Inside the dump truck was 56-year-old Edwin Timmer. His wife also happened to be following him a few miles back.

"He was able to talk to his wife," Barton said. "I believe she was following him and we know that he was talking to her after the crash, and shortly after that, both vehicles were engulfed in flames."

Timmer wasn't able to get out of the truck in time.

He, along with Beck and her three grand-children, died at the scene.

DPS troopers identified the kids as eight-year-old Tiffany Klein, three-year-old Jeremyah Rodriguez and two-year-old Sebastian Savage.

Now after the accident, there are still lingering questions as to how this could've happened.

Troopers are still investigating if speed was a factor.

"It's just one of those deals where we still have to piece together some of that information to get the full details," Barton said. "We don't know why she drifted across into the oncoming lane. That's probably something we'll never know."

DPS, Andrews Fire Department and sheriff officials all responded to the accident. The Midland County Crisis Intervention Unit was also there to assist family members.

All five occupants in those vehicles were wearing their seatbelts or were in a child safety seat.

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**Truck Possibly Carrying Oil on Fire on 1788**

**<http://www.kwes.com/story/21426608/truck-carrying-oil-on-fire-on-1788>**

*Posted: Feb 28, 2013 12:12 PM CST Updated: Feb 28, 2013 12:22 PM CST*



## Staff Report

*NewsWest 9*

Midland - A truck carrying oil is on fire on 1788 at Highway 191.

According to scanner traffic, 20 barrels of oil are on fire. Our photographer on the scene says 1788 from the airport to Highway 191 is blocked off.

The driver got out and was not injured.

A Haz Mat crew is also on the scene. Stay tuned to NewsWest 9 for the latest.

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## Midland County Fatal Accident Shows Continuing Trend in Basin

<http://www.kwes.com/story/20597944/midland-county-fatal-accident-shows-continuing-trend-in-basin>

*Posted: Jan 15, 2013 9:52 PM CST Updated: Jan 15, 2013 10:11 PM CST*

by Devin Sanchez  
NewsWest 9

MIDLAND CO - Just two weeks in to the new year and Midland County has already seen a car crash with multiple fatalities.

It happened around 7 a.m. Tuesday morning on FM 1788, about six miles south of Interstate 20.

Three men, all oil field workers, lost their lives. One other is left fighting for his life.

26-year-old Frank Ortega of Odessa, was driving one of the trucks. We're told he tried to pass another car and hit 47-year-old Manuel Loera's truck head on.

Troopers tell NewsWest 9, Ortega's passenger, 27-year-old Joshua Stearns from New Caney wasn't wearing his seatbelt.

Ortega, Stearns and Loera died at the Scene.

Ortega's other passenger, 27-year-old Jesus Carballo is currently in critical condition at Midland Memorial Hospital.

Both Ortega and Loera swerved to miss each other but swerved in the same direction and hit head on.

Both trucks came to a rest in a ditch on FM 1788.

**From January to October 2012, Midland, Ector, Martin, Howard, Andrews and Ward Counties have seen 70 fatal accidents, resulting in 87 deaths.**

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[http://www.mywesttexas.com/top\\_stories/article\\_58e2759a-7b9b-11e2-affd-0019bb2963f4.html#ixzz2MEaXqATU](http://www.mywesttexas.com/top_stories/article_58e2759a-7b9b-11e2-affd-0019bb2963f4.html#ixzz2MEaXqATU)

**Midland County averages a death every six days on its roads**



**JAMES DURBIN**

## **01/11 FATAL MOTORCYCLE CRASH**

**(File Photo) A 23-year old man driving a motorcycle south on Midland Drive was killed in a collision with a truck the intersection of Shell Ave. James Durbin/Reporter-Telegram**

**Posted: Wednesday, February 20, 2013 2:20 pm | Updated: 12:17 am, Thu Feb 21, 2013.**

**There have been eight traffic fatalities in Midland this year, with most being in the county. Here is a complete listing of the circumstances surrounding the tragic events.**

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**Jan. 8: A San Antonio man died after a collision with a semi-tractor trailer on Tom and Nadine Craddick Highway.**

**Lance Howard Schneider, 50, was pronounced dead at the scene on Craddick Highway, 0.6 miles west of State Highway 349.**

**Pickup passenger Dannie Schlag, 22, of Atascosa, was transported to Midland Memorial Hospital with serious injuries.**

**Jan. 11: Motorcyclist Jesse Kinsey, 23, of Midland, was traveling southbound on Midland Drive and died when he hit a northbound pickup.**

**Pickup was turning left into an apartment complex nearby Sinclair Avenue when the motorcycle collided with the truck's passenger side, said city PIO Sara Higgins. Kinsey was pronounced dead at the scene.**

**According to witnesses and based on the motorcycle's damage, officers determined Kinsey was driving over the speed limit, she said.**



Jan. 15: Francisco Manuel Ortega, 26, and Manuel Jesus Loera, 47, both of Odessa, and Joshua Edward Stearns, 27, of New Caney, died in a two-pickup crash on Farm-to-Market Road 1788, about 6 miles south of Interstate 20, according to Department of Public Safety troopers. A fourth worker, Jesus Carballo, 27, of Ehrenberg, Ariz., suffered serious injuries but survived the crash.

According to DPS, Ortega was driving a tan pickup -- in which Stearns and Carballo were passengers -- south on 1788 when he tried to pass a vehicle in front of him. He crossed into the northbound lane and collided, almost head-on, with an oil company welding truck driven by Loera. Ortega was attempting to pass an oncoming vehicle on 1788. Ortega, Loera and Carballo were wearing seat belts but Stearns was not.

Feb. 5: Motorcyclist Joe Anthony Montemayor, 36, of Midland, was traveling south on Big Spring Street when he collided with a white pickup headed east on the south service road of Loop 250. The truck also grazed the front of another pickup stopped in a northbound lane of Big Spring Street.

Midland police responded to the crash at 4:06 p.m. near the intersection of Big Spring Street and Loop 250, where Montemayor was pronounced dead at the scene. He was not wearing a helmet.

The cause of the accident is currently undetermined and there are not charges pending at this time.

Feb. 6: A Big Spring man died when his pickup collided with a semi truck at the intersection of Farm-to-Market 1787 and Farm-to-Market 1492.

Justen Vogel, 39, was headed eastbound on FM 1787 as John McGraw, age unknown, was headed westbound in an 18-wheeler, according to Sean Baxter, DPS spokesperson.

The semi truck then headed south on FM 1492 and failed to yield the right of way to the pickup.

Initially it was unknown if the semi truck driver used his turn signal or where the point of collision occurred on the vehicles.

McGraw wasn't injured. There were no citations issued as of Feb. 7 morning.

Feb. 19: A 46-year-old Odessa passenger died from injuries sustained in a rollover crash on Farm-to-Market Road 1788.

A tow truck used for transporting trailer was headed southbound on Farm-to-Market Road 1788 when the driver, of Cibolo, lost control of the truck likely due to weather conditions that night.

The driver was uninjured but the passenger died from his injuries and was pronounced dead on scene, said DPS Trooper Molly Hernandez. The victim was not wearing a seatbelt.

The accident occurred about 2 miles north of the intersection of Highway 191 and FM-1788.

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## Local man killed in Andrews County accident

June 29, 2012

By

THOMAS JENKINS

[citydesk@bigspringherald.com](mailto:citydesk@bigspringherald.com)

(<http://www.bigspringherald.com>

[/content/local-man-killed-andrews-county-accident](http://www.bigspringherald.com/content/local-man-killed-andrews-county-accident))

A Big Spring man was killed and another injured early Thursday morning in a three-vehicle crash in Andrews County on U.S. Highway 176 approximately eight miles east of FM 1788.

According to accident reports filed with the Regional Department of Public Safety Office in Midland, the accident was reported at approximately 7:38 a.m.

Zachary Dane Shepphard, 21, formerly of Sweetwater and who, according to unconfirmed reports, had just recently moved to the Big Spring area, was pronounced dead at the scene of the accident by Andrews County Justice of the Peace Mary Jane Baeza.

Christopher Allen Posey, 33, of Forsan, who was traveling with Shepphard in a 2008 Chevrolet pickup, suffered minor injuries in the crash and was listed in stable condition following the accident, according to DPS communication officials.

According to DPS reports, Posey — who was driving — and Shepphard were traveling west on U.S. Highway 176 directly behind a 2007 Mack truck, driven by Eduardo L. Diaz of Midland. The truck was towing a tanker trailer, according to DPS records.

Diaz attempted to make a right turn onto County Road 100 when Posey failed to control his speed and slammed into the back of the tractor trailer, according to the DPS accident report, causing the 18-wheeler to turn sideways and enter the eastbound lane of traffic.

Diaz's truck then struck a 2006 Chevrolet van driven by Terry Lynn Dunlap, 44, of Andrews, throwing the van into Posey's pickup. According to DPS officials, Dunlap suffered minor injuries in the crash and was listed in stable condition following the accident.

Posey was transported to University Medical Center following the accident, according to unconfirmed reports. Both Dunlap and Diaz were transported to Medical Center Hospital in Odessa.

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**Lastly, a note about sirens: Perhaps the sirens could be used not only for tornados, but to notify the community if needed due to an accident involving radioactive waste.**

## **Aerial sirens to be tested Feb. 28**

Local News - Published on: February 27, 2013

[http://www.andrewscountynews.com/news\\_article.php?id=2110](http://www.andrewscountynews.com/news_article.php?id=2110)

City of Andrews officials are reminding residents that newly installed aerial sirens will be tested Thursday.

The first test of the sirens will take place Thursday, Feb. 28 at 5 p.m. and could last from three to 10 minutes.

The sirens will normally be tested twice each year, in February and August, with notices posted in advance of each test. These sirens are for "Tornado Warnings" only, according to a recent post on the City's Facebook page.

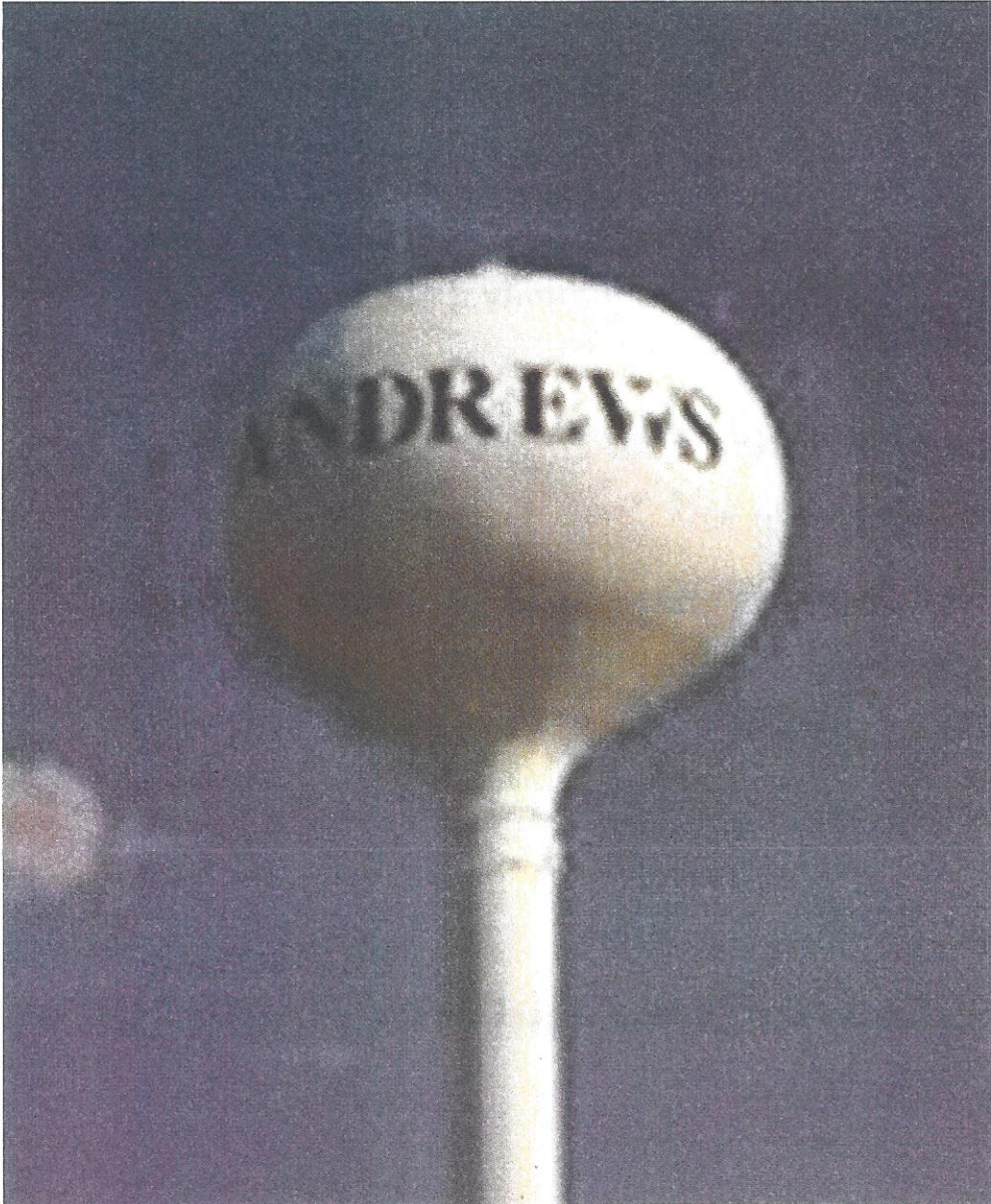
Author: Staff report

## **Work Begins On New Andrews County Fire Training Facility**

By: Dylan Brooks

Updated: September 6, 2012





ANDREWS -- Preparations continue for a new training facility for Andrews fire crews.

Andrews County Volunteer Fire Chief Joe Harper tells **Big 2** that workers are preparing to pour concrete at the facility, and construction is expected to start in earnest late next week.

Once complete, the \$500,000 facility will serve as a place to train firefighters in Andrews County.

Harper says the Environmental Protection Agency closed a previous training facility in Andrews.



