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OCRWM Bulletin

United States Department of Energy
Office of Civilian Radioactive Waste Management
Washington, DC 20585

December 1986

Notice of Inquiry Published for Proposed Defense Waste Fee Allocation

The U.S. Department of Energy (DOE) published a Notice of Inquiry in the December 2, 1986, *Federal Register*. This Notice invites public comment on a tentative method for calculating total disposal fees for high-level nuclear wastes from atomic energy defense activities to be paid to the Nuclear Waste Fund.

This allocation is needed because, on April 30, 1985, the President determined that defense high-level waste (DHLW) should be disposed of in the civilian repository system. The Nuclear Waste Policy Act of 1982 (NWSA), Section 8 (b)(2) requires that there be an "allocation of costs of developing, constructing, operating, and decommissioning" for the one or more repositories to be developed under the NWSA. While the NWSA intends that OCRWM fully recover all DOE expenditures for the permanent disposal of high-level waste, including DHLW, it does not specify the methodology to be used by DOE in calculating the fees to be paid for the disposal of DHLW. This includes future DHLW as well as designated wastes currently stored at DOE's Hanford site in Washington, the Savannah River Plant in South Carolina, and the Idaho National Engineering Laboratory. Payments for DHLW disposal will be made by DOE's Office of Defense Programs into the Nuclear Waste Fund, as part of the appropriation process, and will be sufficient, in the aggregate, to

cover the costs of DHLW disposal.

The adequacy of waste disposal fees is to be reassessed annually based on actual costs and updated estimates of future costs and waste quantities to be handled. The cost estimates to be used in calculating fees are those used in "Analysis of the Total System Life Cycle Cost for the Civilian Radioactive Waste Management Program" (DOE/RW-0047).

The *Federal Register* Notice evaluates three options for determining the total fee.

Option I—Full Cost Recovery Using Sharing Formulas

Under this option, the fee for DHLW is established by allocations using cost-

sharing formulas applied to major cost elements as reported in OCRWM's annual total system life-cycle cost analyses. Costs for facilities and activities carried out solely for DHLW disposal, such as transportation and waste overpacking for DHLW, would be treated as direct costs and included in the DHLW fee together with the DHLW share of common costs for facilities and activities used for both DHLW and civilian waste disposal.

The basis for sharing costs can include such factors as areal dispersion (the proportion of total repository disposal area accounted for by DHLW) and the share of canisters processed in a facility. Under this option, preliminary DHLW fee estimates range from \$2.60 billion to \$3.43 billion in 1985 dollars.

Option II—One-Mill/Kilowatt-hour Electric-Generation Equivalent Fee

Under this option, the total fee would be based on DOE's estimates of the electric-generation equivalent for past and future reactor operations that have produced the DHLW covered by the Notice.

The total electric-generation equivalent for 16,000 canisters from past and future reactor operations is estimated by DOE's Office of Defense Programs at 780 billion kilowatt-hours electric [kWh(e)] equivalent through

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Published by the U.S. Department of Energy (DOE), Office of Civilian Radioactive Waste Management (OCRWM)

For further information about the national program or for copies of new publications and documents listed in the "OCRWM Bulletin" contact the U.S. Department of Energy, OCRWM, Office of Policy and Outreach, Mail Stop RW-40, 1000 Independence Avenue, SW, Washington, DC 20585 (202) 252-5722. The OCRWM Information Services Directory is available to provide sources of program information for the States, Indian Tribes, involved parties, and the public.

Notice of Inquiry Published for Proposed Defense Waste Fee Allocation

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1986 and an additional 970 billion kWh(e) equivalent from 1987 through 2020. If the current 1 mill/kWh (e) fee now being paid by civilian waste generators were applied to these defense reactor operations, the total fee would be \$1.75 billion in 1985 dollars.

Option II is estimated to yield revenues that total about one-half the revenue raised by Option I since, unlike commercial nuclear reactors,

defense reactor operations are optimized for the production of defense materials rather than electricity generation.

Option III—Cost Shares Proportional to Avoided Costs

Under this option, estimates are made based on the cost of separate repository systems ("avoided costs") for civilian and defense wastes. A major reason for the cost savings in a combined system is that a large

proportion of the cost of any waste disposal system is fixed. For example, costs of development and evaluation (D&E) are largely unaffected by the precise amount of waste handled. Because of the smaller volume of defense waste, fixed costs must be spread over a smaller number of units of disposal service, so that avoided D&E costs per unit are higher than for civilian wastes. A preliminary study of this option estimated that the total DHLW fee would equal 25 to 30 percent of total repository costs for 16,000 DHLW canisters. The fee calculated by this methodology would be on the order of \$5.3 billion in 1985 dollars.

Headquarters Review Criteria for Facility-Specific Outreach and Participation Plans

In response to the requirements of the NWPA, OCRWM prepared a "Mission Plan" (DOE/RW-0005) that describes the overall goals, objectives, and strategy for the program for the disposal of spent nuclear fuel and high-level waste. Among other things, the Mission Plan requires that DOE develop Facility-Specific Outreach and Participation Plans for each repository site. This requirement was defined further in OCRWM's "Internal Guidelines for Interactions with Communities and Local Governments" (DOE/RW-0039).

Each facility-specific plan represents an umbrella plan for institutional activities that will address the needs of States, Indian Tribes, and local parties affected by the potential siting of a repository. These plans are to be based on discussions and consultations with the involved parties, and may address activities such as:

- public hearings, briefings, and other meetings to be sponsored by DOE on major program reports and events;
- DOE participation at meetings sponsored by other organizations;
- information products to be provided by DOE;
- community information facility activities and data collection activities involving States, Indian Tribes, and local governments; and
- site activities, including site tours.

States and Indian Tribes may request financial assistance for participation in these activities.

After informal discussions with States, Indian Tribes, and local parties, draft Facility-Specific Outreach and Participation Plans are to be prepared by OCRWM Project Offices, reviewed by OCRWM Headquarters, and then discussed with affected parties. The review by Headquarters is intended to ensure that there is consistency with established OCRWM policy on institutional activities and equity among the three sites in the opportunities offered to affected parties for involvement in the repository program. To guide this review, draft Headquarters review criteria have been developed and are being circulated for comment.

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OPTIONS AND FEES FOR DEFENSE HIGH-LEVEL WASTE

Option	Estimated Fees (Dollars in Billions)
Option I	\$2.60 to \$3.43
Option II	\$1.75
Option III	\$5.30

A detailed evaluation of the options appears in the *Federal Register* Notice. A summary of estimated costs for each option is shown above. Copies of the *Federal Register* Notice of Inquiry and Request for Public Comment may be obtained from the U.S. Department of Energy, Office of Public Inquiries, Room 1E-206, Forrestal Building, 1000 Independence Avenue, SW, Washington, DC 20585, or call (202) 252-5575.

Public comment on determining a total DHLW disposal fee is invited, and should be addressed to Samuel Rousso, Associate Director for Resource Management, RW-10, U.S. Department of Energy, OCRWM, Washington, DC 20585, and be received by February 2, 1987. ☆

Excerpts From Remarks by Ben C. Rusche, Director, OCRWM, Before the American Nuclear Society Meeting, Washington, DC, November 17, 1986

(In his remarks, Mr. Rusche reviewed programmatic and technical developments in the OCRWM program in the areas of geologic repositories, at-reactor storage, transportation, and international cooperative activities. Because site characterization will be the main OCRWM program thrust for the next 5 years, Mr. Rusche's comments on this subject are excerpted below.)

"Essentially, it (site characterization) involves data gathering and question answering to verify site suitability and capability to meet standards and criteria established by the Environmental Protection Agency (EPA) and the Nuclear Regulatory Commission (NRC).

"And in addition to the EPA and NRC regulations, the requirements of the Nuclear Waste Policy Act itself must be met as well as those contained in the DOE Siting Guidelines. The Siting Guidelines establish performance objectives for a geologic repository system, define the basic technical requirements that candidate sites must meet, and specify how DOE will implement the site selection process.

"So the main purpose of site characterization is to determine whether a candidate site is suitable for a repository and to provide the bases for the construction authorizations. This has never been done before.

"To support the recommendation and application decisions, information must be developed that relates to four broad areas of interest:

- postclosure performance,
- preclosure radiological safety,
- non-radiological environmental impacts, and
- feasibility and cost of geologic repository development.

"Unresolved questions about these four areas are the main focus of site characterization. The starting point for identifying unresolved questions or issues is the Mission Plan for the Civilian Radioactive Waste Program. The overriding purpose is to make clear the logic of site studies and design activities and to ensure that no significant issues are overlooked or extraneous information collected. The Mission Plan and supporting documents also provide a guide to development of site characterization plans (SCPs).

"The development of SCPs is especially important now. We are deeply involved in developing SCPs for each of the candidate sites, and their development will continue to be a major activity during this fiscal year.

"As one might guess, there is intense interest in the SCPs since the SCPs will guide DOE during the site charac-

terization phase until the license application is submitted to the NRC. The SCPs and periodic progress reports that DOE will be making will have a crucial role in interactions with the NRC, and as vehicles for presenting information to the States, Indian Tribes, Congress, utilities, and the public.

"The SCPs will contain:

- a detailed specification of the information to be developed for each site, the waste package and repository design, and the issues to be addressed;
- schedules to indicate a logical sequence of testing and the timing for the release of publications on technical procedures, technical findings, and issue resolution; and,
- milestones and decision points to be encountered along the way.

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Headquarters Review Criteria

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The Headquarters review criteria define the institutional activities that are basic to the repository program. These criteria are not intended to establish a standard format for the plans or to limit institutional activities to only those listed in the review criteria.

Each facility-specific plan will provide a general description of the site-specific institutional activities to be conducted on a regular basis, such as providing technical and public information and conducting regular interactions with affected parties.

In addition to ongoing institutional activities, milestone-related institutional activities will also be conducted for repository program components such as site characterization plans, socioeconomic and environmental monitoring and mitigation plans, payments-equal-to-taxes, risk assessment, quality assurance plans, Environmental Impact Statements, and other plans and activities identified during the facility-specific institutional planning process. The plans will identify milestones for each of these program components and the institutional activities that will be conducted for each of the milestones.

The plans will provide a 6-month schedule of all repository program institutional activities to be conducted. This will include both the ongoing and milestone-related institutional activities. Schedule updates will be provided to affected parties every 6 months and affected parties notified as changes occur. ☆

**Excerpts From Remarks
By Ben Rusche,
Before the American
Nuclear Society Meeting**

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"Considerable work has been done to date on the SCPs. An annotated outline has been developed and presented to the NRC and to States and Indian Tribes. Onsite reviews have been conducted for development of the SCPs. Meetings have been conducted with the NRC on items regarding SCP preparation as well as with the States and Indian Tribes. A uniform issue resolution strategy has been developed.

"Current plans for the SCPs call for issuing SCPs for Hanford and Yucca Mountain for public review and comment in approximately mid-1987, and for Deaf Smith in late 1987.

"Activities during site characterization are many and complex. Much of the information that we need is already available but must be compiled systematically from the literature or local records. Where new data is needed, some of it will be secured through surface, sub-surface, and laboratory testing.

"A major activity, the construction of exploratory shafts, will not be initiated during FY 1987. We had planned to begin exploratory shaft work at Hanford and possibly in Nevada in FY 1987, but in light of the Continuing Resolution and commitments made to Congress, no exploratory shaft drilling will begin in FY 1987 at either Hanford, Yucca Mountain, or Deaf Smith. The timing for shaft work in FY 1988 will depend on progress on the SCPs. The impact of this delay on the overall schedule, as well as the reduced FY 1987 appropriation, is currently under review.

Selected Events Calendar

- January 20-22 Environmental Coordinating Group Meeting, Las Vegas, NV. Contact Jerry Parker (202) 252-5679.
- January 21-22 Quality Assurance Coordinating Group Meeting, Albuquerque, NM. Contact Carl Newton (202) 252-9300.
- February 2-6 Ninth Annual Symposium, Geotechnical and Geohydrological Aspects of Waste Management (Colorado State University), Fort Collins, CO. Contact (303) 491-6081.
- February 9-11 Second Annual Topical Conference on Nuclear Waste Management Quality Assurance, Las Vegas, NV. Contact Judy Kail (619) 455-2627.
- February 26-27 Environmental Issues Conference, National Congress of American Indians co-sponsored with American Bar Association. La Fonda Hotel, Santa Fe, NM. Contact Robert Holden (202) 546-9404.
- March 1-5 Waste Management '87, Tucson, AZ. Contact Morton Wacks (602) 621-2475.
- March 15-18 Atomic Industrial Forum Fuel Cycle Conference '87, Boston, MA. Contact AIF Conference Office (301) 654-9260.

For details on DOE/NRC meetings call (1/800) 368-2235 for a recorded message. In the Washington, DC, area call 479-0487.

A telephone recording service has been established for the announcement of upcoming meetings related to the waste management program of the NRC. The number is (1/800) 368-5642, Ext. 79002. Washington, DC, area residents should call 427-9002.

For information on meetings and events occurring between issues of the "OCRWM Bulletin" use OCRWM INFOLINK, an Electronic Bulletin Board that can be accessed through a standard computer communications capability on (202) 252-9359 or (202) 252-5406, or call Tim Conner (202) 252-6356. The "OCRWM Bulletin" now is available through INFOLINK.

"Examples of the testing activities to be conducted during surface-based testing include seismic monitoring, geologic trenching, meteorologic monitoring, and surface borehole drilling. Examples of laboratory testing activities include corrosion testing, borehole core testing and seal system testing.

"Other data to be collected and analyzed involve environmental, transportation, and socioeconomic studies that assess the potential impacts of repository development and operation.

"To do all of this, sophisticated and interactive information systems are needed to assist in coordinating the data collection and review and to

provide a permanent record of licensing activities which will be used by all participants in the licensing process, including the NRC, States, and affected Indian Tribes. We are now in the process of developing such a management tool called the Licensing Support System.

"This is a major task not only because of the comprehensive technical and administrative data and documentation required, but because of the involvement of the many parties with different information needs. As the design of the Licensing Support System evolves, we are committed to interact with the participants so that their requirements can be factored into the design." ☆

Other Program Items

Transportation Coordination Group Meeting

OCRWM's Transportation Coordination Group (TCG) met on November 18, 1986, in Columbus, Ohio, to review recent activities and near-term plans for the technical development of the NWPA transportation program. The meeting was attended by more than 60 people representing DOE, support contractors for DOE, States, Indian Tribes,

utilities, and the transportation industry.

The TCG is composed of voting members from OCRWM, the repository Project Offices, and DOE's Operations Offices. The TCG was formed in 1985 to ensure that NWPA cask handling facilities and cask design features are compatible. Other TCG objectives, as stated in the group's charter, include the identification and resolution of common technical trans-

portation problems, and the exchange of information among member organizations to ensure consistent transportation inputs to NWPA program documents.

The meeting began with a brief review of transportation program activities planned for the next fiscal year. More detailed discussions addressed the following activities.

- The ALARA Study—A study has been initiated by OCRWM to evaluate the costs and risks associated with potential NWPA transportation systems under which reasonable efforts would be made to reduce radiation exposures to levels as far below Federal dose limits as is practicable—that is, "as low as reasonably achievable" (ALARA). OCRWM is now working on the first phase of the report that postulates a reference transportation system, and alternatives are being developed using ALARA principles. When completed, the report will be made available for comment both on the reference system and on alternatives deserving additional study.
- Future OCRWM Transportation Risk Analyses—OCRWM has begun to develop preliminary plans for enhancing future transportation risk studies to include three modes of transportation (truck, rail, and barge); greater use of State meteorologic data, land-use patterns, and State-level accident data; and consideration of a greater number of population zones. OCRWM plans to hold regional workshops in 1987 to review and discuss study options.

New Publications and Documents

"Office of Storage and Transportation Systems Quality Assurance Directive"

DOE/RW-0103
September 1986

This document sets forth program-wide quality assurance requirements and defines management's quality assurance responsibilities for the Office of Storage and Transportation Systems and its projects.

"OCRWM Safety Plan"

DOE/RW-0119
November 1986

The OCRWM Safety Plan sets forth management policies and general requirements for the safety of the public and of personnel associated with the OCRWM program.

The following factsheets were reprinted in October 1986

"The Illustrated Mechanics of Nuclear Waste Disposal"

DOE/RW-0105

"What Will a Nuclear Waste Repository Look Like?"

DOE/RW-0106

"What is Nuclear Waste?"

DOE/RW-0107

"What is Spent Nuclear Fuel?"

DOE/RW-0108

"Can Nuclear Waste be Transported Safely?"

DOE/RW-0109

"Radiation and Nuclear Waste—How Are They Related?"

DOE/RW-0110

"How Much High-Level Nuclear Waste is There?"

DOE/RW-0111

"What Rock Types Are Being Considered for Nuclear Waste Repositories and Why?"

DOE/RW-0112

Copies of new publications and documents are available from the U.S. Department of Energy, OCRWM, Office of Policy and Outreach, Mail Stop RW-40, 1000 Independence Avenue, SW, Washington, DC 20585.

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A Chronology of Major OCRWM Events, 1983 to Present

1983

- January**
- President Reagan signs the Nuclear Waste Policy Act of 1982, Public Law 97-425.
 - Temporary Nuclear Waste Policy Act Project Office established by DOE to carry out initial implementation of the Act.
- February**
- Draft proposed siting guidelines for recommendation of repository sites made available to the public for review and comment.
 - Nine sites in six States identified as potentially acceptable for first repository, and affected States and Indian Tribes notified.
- May**
- Nuclear Waste Fund Management Plan Published
 - Draft regional characterization reports sent to 17 States identifying crystalline rock formations for possible study for a second repository.
- April**
- Standard Disposal Contract published in *Federal Register*.
 - One-mill/kilowatthour fee for nuclear-generated electricity implemented.
 - First Notice published in *Federal Register* of offer of cooperation and technical assistance to non-nuclear weapons States in all facets of spent nuclear fuel storage.
- June**
- Owners and generators of civilian spent fuel and high-level waste execute contracts with DOE for disposal services and for payment of fees into the Nuclear Waste Fund.
 - Formal procedural agreement with NRC concluded relating to development of repository licensing plan.
- July**
- Report submitted to Congress indicating that an MRS proposal can be prepared using currently mature engineering and design practice without additional research and development.

1983

- July**
- Fee collection and payment procedures established.
 - Formal negotiations for written consultation and cooperation agreements initiated with the Yakima Indian Nation and State of Washington.
- August**
- Revised draft final siting guidelines provided to States and Indian Tribes for review and comment.
- September**
- OCRWM organization activated.
- November**
- Final siting guidelines for recommendation of repository sites forwarded to the NRC for concurrence.

1984

- January**
- First deployment plan for Federal interim storage submitted to Congress.
- March**
- Competitive solicitation issued to industry for proposals for development of a safe, economical waste packaging and handling system.
 - Agreements signed with Virginia Power and the Carolina Power and Light Company for cooperative dry storage demonstrations.
- April**
- Congress notified that the Test and Evaluation Facility will be collocated with the repository if need for such a facility is established.
- August**
- Comprehensive Nuclear Waste Fund Management Plan issued.
- October**
- Transportation Business Plan: Strategy Options Document published.
- November**
- NRC concurs in siting guidelines.
- December**
- Siting guidelines published in *Federal Register*.
 - Draft Environmental Assessments for each of the nine potentially acceptable sites published.

A Chronology of Major OCRWM Events, 1983 to Present

1984

- December • Study of Alternative Means of Financing and Managing Radioactive Waste Facilities submitted to Secretary of Energy.

1985

- February • Nuclear Waste Fund embarks on investment program (short-term Treasury instruments).

- April • President approves recommendation that a combined repository for both DHLW and civilian radioactive waste be implemented.

- Region-to-Area Screening Methodology Report issued.

- Preliminary report published on the need for and feasibility of monitored retrievable storage. Also published was another report on the screening and identification of sites for a proposed MRS facility.

- Nuclear Waste Fund's appropriated debt of \$265 million is repaid.

- July • The Mission Plan for the Civilian Radioactive Waste Management Program submitted to Congress.

- Long-term investment strategy for Nuclear Waste Fund implemented.

- July • Draft Project Decision Schedule issued, reflecting Federal agency comments.

- August • Draft Transportation Business Plan issued.

- September • Final Regional Geologic and Environmental Characterization Reports issued on the Crystalline Repository Project.

- Draft Transportation Institutional Plan issued.

- October • Quality Assurance Plan issued for siting and site characterization.

- November • Electronic Bulletin Board (INFOLINK) established.

1986

- January • Draft Area Recommendation Report issued. Governors of States with proposed potentially acceptable sites notified.

- Transportation Business Plan issued.
- Information Package for From-Reactor Cask Program issued.

- February • Near-Term Public Information Products Program for Fiscal Year 1986-1987 issued.

- March • Project Decision Schedule issued.

- May • Environmental Assessments issued. Five sites nominated as suitable for site characterization. Three sites recommended for detailed site characterization. President approves sites for characterization.

- Site-specific work for second repository indefinitely postponed.

- June • Public Information Guidelines issued.

- July • Request for Proposal for Development of From-Reactor Cask issued.

- NRC issued license for Virginia Power Surry Plant Independent Spent Fuel Storage Facility.

- August • Transportation Institutional Plan issued.

- NRC issued license for Carolina Power and Light Robinson Plant Independent Spent Fuel Storage Facility.

- September • Draft Mined Geologic Disposal System Plan completed.

- Licensing Support System solicitation in *Commerce Business Daily* for design and implementation procurement.

- December • *Federal Register* Notice of Inquiry on defense waste fee options issued.

☆

Other Program Items (continued)

Transportation Coordination Group Meeting

(continued from page 5)

- **Cask Development**—Proposals for the design and development of casks for shipping spent fuel from reactors to NWPA facilities are currently under review by OCRWM. All surface modes of transportation (truck, rail, and barge) will be considered in the design of "from-reactor" casks. Contracts are expected to be awarded in the late spring of 1987.
- **Operations Management Configuration Study**—Consistent with the NWPA, OCRWM plans to use private industry to the maximum extent possible to operate the NWPA transportation system. Proposals for a management configuration study are now being reviewed by OCRWM. The study is to include an evaluation of viable management structures (i.e., total private operation, a combination of private/Federal operation, or total Federal

operation). A contract for the study is expected to be awarded in early 1987.

Update on Litigation

Monitored Retrievable Storage. On November 25, 1986, the U.S. Court of Appeals for the Sixth Circuit issued a decision in the case of the State of Tennessee v. John Herrington, Secretary of Energy. The Court ruled that Federal courts of appeals have original jurisdiction over actions involving the consultation and cooperation requirements applicable to monitored retrievable storage (MRS) facilities under the NWPA. The court further held that the NWPA does not require the Secretary to consult with any State before he sends Congress his proposal for the location and construction of one or more MRS facilities.

The court recognized that DOE notified the Governor of Tennessee of the identification of three sites in Tennessee for analysis as possible MRS sites, and that DOE provided

Tennessee with a \$1.2 million grant to assist the State in its independent evaluation of the MRS system.

The State of Tennessee filed a petition for stay or extraordinary writ of injunction on November 25. The Secretary responded on November 28 with a motion in opposition to a stay or injunction, and with a counter-motion for immediate issuance of mandate or dissolution of injunction. DOE is awaiting the court rulings on these motions.

Case Consolidation. On October 29, 1986, the U.S. Court of Appeals for the Ninth Circuit denied the Government's motion to transfer all cases (with the exception of those lawsuits challenging the denial of grant funds to States for litigation purposes) to the District of Columbia Circuit Court of Appeals. At the same time, the court also consolidated all cases except challenges to the previously promulgated "guidelines" for the recommendation of sites and the above-mentioned denial of grant funds. ☆

Department of Energy
Washington, DC 20585



Subject: Telephone Number Change

Effective December 26, 1986, the first three digits of Forrestal Building telephone numbers will change to:

- (1) Commercial callers - 586.
- (2) Government (FTS) callers - 896.

Germantown telephone numbers shall remain the same.

For general information call 586-5722.