Department of Energy
Washington, DC 20585
July 9, 2003

Mr. James M. Souby
Executive Director
Western Governors Association
1515 Cleveland Place, Suite 200
Denver, CO 80202-5114

Dear Mr. Souby:

Your staff was notified earlier today of the Department of Energy’s intent to
direct the Nevada Test Site (NTS) to unload Transuranic (TRU) waste from the
TRUPACT II containers currently at the site, and re-direct our transportation
assets to another location that is accepting and eager to have TRU waste
transported and disposed of at the Waste Isolation Plant (WIPP).

As you know, the vast majority of this waste was generated from the Lawrence
Livermore National Laboratory in California and transported to the NTS for final
disposition at WIPP. It is not fiscally responsible to the taxpayer to leave assets
sitting idle so we will not be adding these shipments back into our schedule in the
foreseeable future.

I am discouraged and disappointed that we were not able to reach a resolution at
this time on the use of highway Route 127 with the State of California. This is the
first time a state has chosen to nonconcur on a TRU waste route selection and,
therefore, is setting a dangerous precedent for the future of the TRU waste
program that has been so successful in the past. In fact, as recently as December
2002, the Department was able to make a shipment of similar type of waste from
the Energy Technology Engineering Center in Southern California to the Hanford
Site in Washington State and incurred no problems with the State of California on
that particular shipment.

I would encourage the Western Governors Association in the spirit of cooperation
laid out in the Memorandum of Agreement between your association and the
Department to actively engage California and Nevada to propose a meaningful
compromise so as not to endanger the future of TRU waste movement across the
EM complex.
If you have any further questions, please call my Senior Policy Advisor, Ms. Vicky Soberinsky at (202) 586-7709. We look forward to working with you in the future as successfully as we have in the past.

Sincerely,

[Signature]

Jessie Hill Roberson
Assistant Secretary for Environmental Management

cc: Ines Triay, Manager, Carlsbad Field Office
    Kathleen A. Carlson, Manager, Nevada Site Office
Department of Energy  
Washington, DC 20585  

OFFICE OF THE ASSISTANT SECRETARY  
for  
ENVIRONMENTAL MANAGEMENT  

FAX COVER PAGE  
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Date:  
July 9, 2003  

To:  
Jim Souley & Paul Oloran  

Company:  
USA  

Phone:  
303-623-9378  

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303-534-7369  

This transmission contains (3) page(s) excluding the cover.  

From:  
Karen Wnukoski  
Vicki Soberinsky ✓ 6-8917  
Woody Cunningham  
Bonny Overton  
Anita Iacaruso  
Marilyn Jacobs  

Message:  
We decided to do a letter just so everyone was clear on our direction.  
The Secretary will respond accordingly to the incoming letter.  

Thank you,