



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.

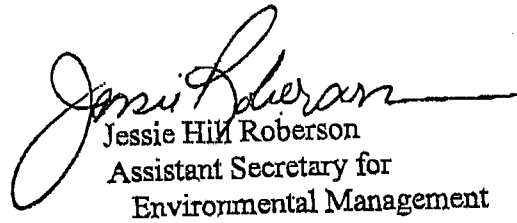
I would encourage the Western Governors Association in the spirit of cooperation laid out in the Memorandum of Agreement between your association and the Department to actively engage California and Nevada to propose a meaningful compromise so as not to endanger the future of TRU waste movement across the EM complex.

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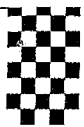


If you have any further questions, please call my Senior Policy Advisor, Ms. Vicky Soberinsky at (202) 586-7709. We look forward to working with you in the future as successfully as we have in the past.

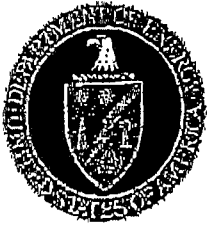
Sincerely,


Jessie Hill Roberson
Assistant Secretary for
Environmental Management

cc: Ines Triay, Manager, Carlsbad Field Office
Kathleen A. Carlson, Manager, Nevada Site Office



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OFFICE OF THE ASSISTANT SECRETARY
for
ENVIRONMENTAL MANAGEMENT

FAX COVER PAGE
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Date: July 9, 2003
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This transmission contains (3) page(s) excluding the cover.

From:	Karen Wnukoski	<input type="checkbox"/>	6-8917	Bonny Overton	<input type="checkbox"/>	6-0363
	Vicky Soberinsky	<input checked="" type="checkbox"/>	6-2706	Anita Iacaruso	<input type="checkbox"/>	6-7566
	Woody Cunningham	<input type="checkbox"/>	6-9591	Marilyn Jacobs	<input type="checkbox"/>	6-7710

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

Thanks
Vicky