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Jessie Hill Roberson
Assistant Secretary for
Environmental Management
U.S. Department of Energy
Washington, D.C. 20585

FYI
Joe H.

Dear Assistant Secretary Roberson:

I am pleased to report that states potentially affected by transuranic (TRU) waste shipments from the Nevada Test Site (NTS) to the Waste Isolation Pilot Plant (WIPP) have engaged in a productive series of conversations and agree a meaningful compromise to resolve the dispute over the use of California route 127 is entirely possible. To date, the Western Governors' Association has worked with California and the other states to help facilitate the discussions. All participants now believe it is time for the Department of Energy (DOE) to become involved if negotiations are to be completed and a compromise actually reached.

In the spirit of cooperation, California has offered to allow the use of route 127, as proposed by DOE, for the first half of the total number of shipments of TRU waste leaving NTS, as long as DOE and the other affected states agree to a timetable and an alternate route or routes for the second half of the shipments. Since the proposed routes involve the use of state routes, these routes can be used only for non-Highway-Route-Controlled-Quantity (HRCQ) shipments. While DOE has not determined exactly how many shipments will be required to remove all TRU waste from NTS, the total number appears to be fewer than 110 shipments. This means that California route 127 could be used to transport most of the waste NTS had identified for removal by the end of 2004. California's offer to use California route 127 would be for up to 55 shipments that must be completed by December 31, 2004.

Potentially affected states have discussed alternative routes, currently being used for low-level waste shipments to NTS, which could be used to transport the second half of the shipments. While a number of alternative routes have been discussed, the one that appears to require the fewest additional resources and states believe holds promise for reaching a compromise, is a route that would take the waste from NTS north on US highways in Nevada (US 95 to US 6 to US 93) to Interstate 80, east on Interstate 80 across Utah and Wyoming to Interstate 25, and south on Interstate 25 and New Mexico highway route 285 to WIPP. While this may be a longer route, the majority of the route already accepts TRU waste

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