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ASSOCIATION

Bill Owens  
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Pam O. Inmann  
Executive Director

Headquarters:  
1515 Cleveland Place  
Suite 200  
Denver, Colorado 80202-5114

303-623-9378  
Fax 303-534-7309

Washington, D.C. Office:  
400 N. Capitol Street, N.W.  
Suite 388  
Washington, D.C. 20001

202-624-5402  
Fax 202-624-7707  
www.westgov.org

October 15, 2004

Frank Marcinowski  
Deputy Assistant Secretary for Logistics  
and Waste Disposition Enhancements  
Department of Energy  
1000 Independence Avenue, SW  
Washington, DC 20585

Dear Secretary Marcinowski:

On behalf of the Western Governors' Association Waste Isolation Pilot Plant Transportation Technical Advisory Group, I would like to take this opportunity to thank you for giving us the opportunity to review and comment on the draft letter regarding the Department of Energy's request to extend the time for keeping the transportation corridor open for shipping Transuranic waste from the Nevada Test Site (NTS) through California. As you can see by the attached, the affected states (California, Nevada, Arizona and New Mexico) have, after review, recommended two additions and one deletion to the draft letter. Additionally, they have recommended that the "copy to" section be revised, as indicated. Please give Bill Mackie a call, if you have any problems with any of the proposed changes.

Once again, thank you for giving affected Western States the opportunity to review and comment on this letter. We look forward to receiving the final signed letter from Acting Assistant Secretary Golan so that the shipment of Transuranic waste from the NTS to the Waste Isolation Pilot Plant may proceed.

Sincerely,

Pam O. Inmann  
Executive Director

Attachment



041015



Pam O. Inmann  
Executive Director  
Western Governors' Association  
1515 Cleveland Place  
Suite 200  
Denver, Colorado 80202

Dear Ms. Inmann:

The Department of Energy (DOE) is requesting an extension for using California State Route 127 for the continued shipment of transuranic (TRU) waste from the Nevada Test Site (NTS) to the Waste Isolation Pilot Plant (WIPP) in New Mexico until the end of calendar year 2005. This request is being made in order to complete the first set of approximately 61 shipments that started in January 2004. We have encountered a number of unforeseen technical and regulatory challenges in characterizing the waste for transportation and disposal that impacts our ability to complete the shipments by December 31, 2004, as previously agreed. DOE is resolving these problems and is committed to completing, by mid-December 2005, shipments using predominantly California routes for TRU shipments from NTS to WIPP. By the end of this calendar year, DOE will provide WGA with a proposed timeline through December 2005 that shows DOE's milestones for completing the NTS legacy waste drum processing, waste characterization and shipments to WIPP.

Our current plan calls for making a shipment on October 7, 2004, and holding shipments after the first week of October 2004 to prepare enough drums to sustain two - four full shipments per week throughout November and December 2004. During this hiatus in shipments in October, many of the technical and regulatory challenges mentioned above are expected to be resolved. In addition, the mobile characterization equipment will remain at NTS after December 2004, to characterize the remaining legacy TRU drums. DOE anticipates completing the characterization of the legacy TRU waste at NTS that meets the WIPP requirements by the summer of 2005. Shipments of drums that meet those requirements would conclude on or before December 31, 2005. DOE will keep the Central Characterization Project mobile vendor equipment at NTS until they complete the characterization of all NTS legacy TRU waste drums.

The removal of the legacy TRU waste from NTS is a top priority of the DOE. We appreciate the WGA's leadership in working with us and the affected States, including the State of California, to successfully conclude this shipping campaign.

If you have any further questions, please call me at (202) 586-7709 or Mr. Frank Marcinowski, Deputy Assistant Secretary for Logistics and Waste Disposition Enhancements, at (202) 586-0370.

Sincerely,

Paul M. Golan  
Acting Assistant Secretary  
for Environmental Management

cc: The Honorable Arnold Schwarzenegger, Governor of California  
James D. Boyd, Commissioner, California State Energy Commission and State Liaison  
Officer to the Nuclear Regulatory Commission  
Michael L. Brown, Commissioner, California Highway Patrol  
Marybel Batjer, Secretary of the Cabinet, The Honorable Arnold Schwarzenegger  
William B. Mackie, Program Manager, Western Governor's Association