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40 Broad Street, Suite 2050  
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February 10, 2005

Theodore J. Garrish  
Deputy Director for Strategy and Program Development  
Office of Civilian Radioactive Waste Management  
1000 Independence Avenue, S.W.  
Washington, DC 20585

Dear Mr. Garrish:

On behalf of the four state regional groups, we are pleased to present the enclosed "Principles of Agreement Among States on Expectations Regarding Preparations for OCRWM Shipments." These principles, unanimously endorsed by all four regions, identify the states' expectations for a fully functioning transportation program for spent nuclear fuel and high-level radioactive waste. We believe these principles should serve as policy guidelines for the OCRWM transportation program, including DOE's policy recommendations for the *Federal Register* notice on the implementation of Section 180(c).

Our intent is to share these fundamental, overarching expectations with all levels of DOE management involved with this project. We look forward to continuing to work with you through the state regional groups, the Transportation External Coordination Working Group, and other forums to develop the OCRWM transportation program.

Theodore J. Garrish

February 10, 2005

Page 2

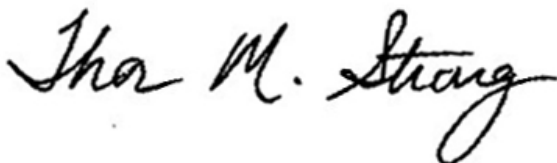
Sincerely,



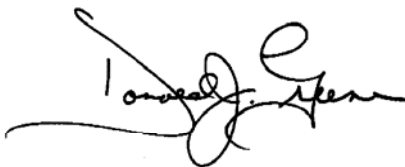
Ken Niles  
Oregon Office of Energy and Co-Chair,  
WIEB High-Level Radioactive Waste  
Committee



Joseph Strolin  
Nevada Agency for Nuclear Projects and  
Co-Chair, WIEB High-Level Radioactive  
Waste Committee



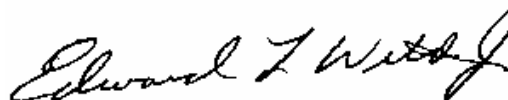
Thor Strong  
Michigan Department of Environmental  
Quality and Chair, CSG Midwestern  
Radioactive Materials Transportation  
Committee



Donald Greene  
Arkansas Department of Health and  
Chairman, SSEB Radioactive Materials  
Transportation Committee



Thomas Hughes  
Pennsylvania Emergency Management  
Agency and Co-Chair, CSG Northeast  
High-Level Radioactive Waste  
Transportation Task Force



Edward L. Wilds, Ph.D.  
Connecticut Department of  
Environmental Protection and Co-Chair,  
CSG Northeast High-Level Radioactive  
Waste Transportation Task Force

Enclosure

cc: Gary Lanthrum  
Judith Holm  
Corinne Macaluso

**Principles of Agreement Among States  
On Expectations Regarding Preparations for OCRWM Shipments  
February 2, 2005**

These principles identify the expectations of the states for a fully functioning transportation program for spent nuclear fuel and high-level radioactive waste.

1. To help ensure the safe and secure transport of shipments under the Nuclear Waste Policy Act, the overall objective of the 180(c) program must be to assist states in developing the capability to help prevent accidents and respond in a timely, appropriate fashion to accidents involving spent fuel and high-level radioactive waste shipments.
2. Funding to states must be predictable to ensure program continuity.
3. Section 180(c) funds and technical assistance must be provided to states at least three years prior to the start of shipments.
4. To maximize the effectiveness of the 180(c) program, the states must know which routes DOE will use prior to applying for assistance. Once routes have been identified, states must have sufficient time (a minimum of three years after routes are identified) to prepare those routes before shipments begin.
5. Scheduling of shipments must be done in a way that balances the priority of shipments established in OCRWM's Annual Capacity Report with impacts on state and local responders. A shipping campaign based on the Annual Capacity Report would result in occasional shipments traveling through many jurisdictions. Consideration needs to be given to the efficient use of federal, state, local, and tribal resources for planning and emergency response in shipment scheduling. States will need predictability with regard to shipment scheduling.
6. The 180(c) program must give the states maximum flexibility to implement accident prevention and emergency response programs that best meet their needs. The states, in turn, will be accountable for documenting that the assistance they receive from DOE is, indeed, accomplishing the overall goal of the 180(c) program.
7. DOE must continue to support the State Regional Groups to ensure consistency and compatibility of shipment planning activities.
8. An upfront planning grant (minimum of \$200,000 per state) must be provided to each affected state to cover the costs of planning and conducting a needs assessment. As long as shipments continue, however, there will be an ongoing need for planning. The states must be able to use their annual 180(c) grants for planning as well as for training.
9. DOE and states must develop a list of allowable activities that are eligible for funding under Section 180(c), as well as a list of transportation-related activities for which DOE will also provide funding from the Nuclear Waste Fund or other sources.
10. DOE must provide the states with financial and technical assistance for both training and operations activities as long as shipments continue along a shipping corridor.