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DEPARTMENT OF PUBLIC HEALTH
MARY MINCER HANSEN, RN, PhD
DIRECTOR

May 27, 2003

Dr. Inés R. Triay, Manager
Carlsbad Field Office
P.O. Box 3090
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Dear Dr. Triay:

I received your letter of May 6, announcing the start of transuranic waste shipments from Argonne National Laboratory-East (ANL-E). Your letter reported that the shipments would occur on May 20, June 11, 13, 16, and 20.

With all due respect, there is no way the Carlsbad Field Office (CBFO) could have had confidence in the dates in your May 6 letter given the fact that ANL-E did not receive its certification to ship until May 13. Without that certification, all planning in connection with the shipments should have been regarded as tentative only. The June dates have already changed three plus times since I received your letter and I fully expect that they will change again.

The CBFO's commitment to the states is to provide accurate two-week notifications. To send notification letters to the governors prior to settling on firm dates might meet the letter of the agreement, but definitely not the spirit. Iowa does not consider the May 6 notification to meet the commitment spelled out in the transportation plan. Furthermore, my experience with the eight-week schedule has proven that the schedule is notoriously inaccurate. As a result, I will not rely on the schedule for information on changes to the shipping dates. Instead, I will look forward to receiving new letters from the CBFO when the shipping dates are certain.

In the spirit of working together to solve this problem, I propose what I believe is a reasonable change to the current process and would surmise that the other Midwestern states would agree:

- 1) Shipments should be scheduled in consultation with the shipping sites and the states, and only when there is a good measure of certainty (e.g., for Battelle, after the lawsuit against DOE is settled).

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Dr. Inés R. Triay, Manager

Page 2

May 23, 2003

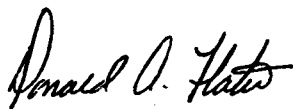
- 2) Assuming the CBFO follows Step 1, Iowa will not object to shipments appearing on the eight-week schedule with less than eight weeks' notice. To assist us in our planning, however, we will expect at least *four* weeks' firm notice.
- 3) Two weeks prior to the shipment, the CBFO will send written notification for one or more shipments, provided *all* the dates are certain and not just placeholders.
- 4) When there is a change to a shipping schedule, the CBFO will send an update to the eight-week schedule in the same manner as for RFETS and the other major shipping sites.

The Midwestern states have repeatedly expressed their frustration and concern over the notification process — especially the gross inaccuracy of the eight-week schedule. Since our input doesn't seem to have made an impact, I felt it was necessary to contact you directly about this important matter. Staging manpower and equipment is as time consuming and costly for us as it is for DOE. "Placeholder" schedules make it very difficult for us to plan ahead. They also undermine the CBFO's credibility with the states. In fact, the issue of scheduled shipments has caused so much frustration that other legal means are being considered to address the scheduling issues.

The Midwestern Radioactive Materials Transportation Committee will be discussing our experiences with DOE's transuranic waste shipments at the upcoming meeting in Lincoln, Nebraska, on June 17-19. I'm sure Ms. Sattler will be glad to relay to you the highlights of our discussion in Lincoln. I would greatly appreciate your help in implementing our proposed changes to make the system work better for all of us.

Rest assured that the Midwestern states are eager to see transuranic waste move from ANL-E and Battelle. Thanks in advance for your assistance.

Sincerely,



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Cc: L. Sattler, CSG