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October 6, 2015

Mr. John Kotek
Acting Assistant Secretary
Office of Nuclear Energy
U.S. Department of Energy
1000 Independence Avenue, SW
Washington, DC 20585

Dear Mr. Kotek,

We greatly appreciated the opportunity to meet with you on March 12, 2015, at the DOE-NE Transportation Core Group meeting in the Forrestal Building. As the leaders of the four regional committees that work with the Nuclear Fuels Storage and Transportation Planning Project (NFSTPP), we find our semi-annual meetings to be highly useful for keeping up to date on the project's activities and learning about upcoming opportunities for states to be fully engaged in those activities.

At the meeting in March 2015, a subgroup of Transportation Core Group members reported on their progress in defining "consultation and cooperation" and developing guidance as to what these terms mean in the context of the NFSTPP's mission and its relationship with states and Tribes. The subgroup's task resulted from a group decision at the August 2014 Transportation Core Group meeting that all parties – states, Tribes, and DOE – should define and then agree to the terms of our collaborative working relationship. Unfortunately, the draft white paper developed by the subgroup has been held up since early May by DOE's extensive internal review process. We feel strongly that defining consultation and cooperation is a critical first step to help state and tribal representatives understand how they will be engaged in the NFSTPP's transportation program. The draft white paper is important for helping us to take this step.

Our concern regarding DOE's internal review process is not limited to the white paper on consultation and cooperation. At our meeting in March, we asked to receive several documents, including the Near-Term Implementation Plan (dated June 30, 2014). During the meeting, we were pleased to learn that DOE-NE was "re-setting" its relationship with the states and Tribes and that the internal review process was being expedited to make it possible for representatives of the states and Tribes to receive draft documents in a more timely fashion. Unfortunately, in the months following that meeting, very few documents were released and the Near-Term Implementation Plan was not one of them.

At the most recent Transportation Core Group meeting on August 11-12, 2015, the states decided as a group to reach out to you for assistance with this situation. While we appreciate the efforts that have been made so far, we feel the internal review process is still less than ideal and this creates a mixed message from DOE-NE. On one hand, we are told we are valuable partners in transportation planning. On the other, we are not allowed to view documents that we consider important to our work. We understand DOE has policies it must follow, but if we truly are to be

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partners in transportation planning, we should be able to gain access to documents within a much more reasonable time period. It would be unfortunate, for example, if DOE-NE were to launch a consent-based siting effort without having first consulted with its state and tribal partners on appropriate key messages, effective communication strategies, and draft public information materials.

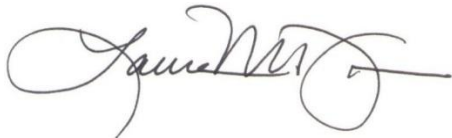
Several of us have a great deal of experience working with the Carlsbad Field Office (DOE-CBFO) to develop the transuranic (TRU) waste transportation program, which the Blue Ribbon Commission and others have cited as a model for the DOE-NE program. The WIPP program was able to work with states in a relatively unfettered manner compared to what we are experiencing now with DOE-NE. Had the DOE-CBFO not fostered such a strong working relationship, it is doubtful that the TRU waste transportation program would enjoy the strong support from states that it has had for years and continues to have during the temporary shutdown of the WIPP site.

We strongly encourage you to take whatever steps are necessary to remove the barriers that currently prevent your program from being more forthright with the timely sharing of documents with state and tribal representatives. We place great value on our involvement with the NFSTPP and wish to be able to contribute meaningfully to the success of the project.

Thank you very much for your assistance with this matter and for taking the time to hear our concerns. We would appreciate a reply to this letter.

We hope to have the opportunity to meet with you in person next year at the spring 2016 Transportation Core Group meeting. If you have any questions about this letter, please contact Lisa Janairo at 920.458.5910.

Sincerely,



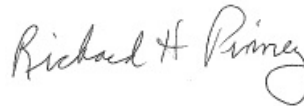
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CSG Northeast High-Level Radioactive Waste
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SSEB Radioactive Materials Transportation
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Ken Niles, Chair
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cc: Melissa Bates, DOE-NE