



THEODORE R. KULONGOSKI  
Governor

April 12, 2006

The Honorable Samuel Bodman  
Secretary, U.S. Department of Energy  
1000 Independence Avenue SW  
Washington D.C. 20585

Dear Mr. Secretary:

I was alarmed to learn that the Administration's Yucca Mountain repository legislation, S.2589, includes provisions that preempt state requirements on transportation of spent nuclear fuel and high-level radioactive waste. I understand your desire to resolve a host of site-related issues through legislation and the need to open a high-level waste repository, but it is counter-productive to circumvent state authority on transportation safety, and to disregard cooperative planning efforts that have taken place between the states and the U.S. Department of Energy (USDOE) for more than 20 years.

Transportation safety for radioactive waste shipments is an issue that Western governors have been addressing for decades. The vast majority of operating or planned radioactive waste disposal and storage sites are located in Western states. Western governors have addressed many of our concerns through a series of governors' resolutions that date back to the 1980s. Our fundamental goal is for the safe and uneventful transport of these materials. That is best accomplished through a cooperative planning and enforcement effort between the states and USDOE.

That cooperative effort has worked tremendously well for transuranic waste shipments to the Waste Isolation Pilot Plant (WIPP). Western states and USDOE worked cooperatively to develop, implement, and maintain a comprehensive transportation safety program. That program has seen more than 4,400 shipments travel safely to WIPP, including more than 230 shipments through my state. Because of the states' participation in developing this program, we are partners with USDOE and have been willing to defend and explain this transportation program to the public. That will not be the case if USDOE preempts state transportation authority for shipments to a national repository.

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I urge you to remove the transportation provisions from this bill. I look forward to working with you on this and other matters.

Sincerely,



THEODORE R. KULONGOSKI  
Governor

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c: Oregon Congressional Delegation