
September 30, 2019

Kirk D. Lachman
Acting Manager
Carlsbad Field Office
U.S. Department of Energy
4021 National Parks Highway
Carlsbad, NM 88220

Dear Mr. Lachman:

The Western Governors' Association (WGA) appreciates the opportunity to provide comments on the Department of Energy's (DOE) 2019-2024 Strategic Plan (Strategic Plan) for the Carlsbad Field Office (CBFO) and Waste Isolation Pilot Plant (WIPP). Western Governors have a vested interest in the safety and functionality of WIPP, as its internal practices and regional shipping procedures affect the health and safety of citizens across the West.

In 1989, WGA established a Technical Advisory Group (TAG) of state nuclear waste and transportation experts to address issues affecting the safe and uneventful movement of waste to WIPP. The TAG subsequently collaborated with DOE to develop a comprehensive transportation safety program, which contains stringent protocols, principles and procedures. This program has been fully implemented nationwide by DOE and each of the 12 TAG-member states.¹

Western Governors are disappointed that the TAG was not involved with updates to the Strategic Plan. The Strategic Plan makes only minimal references to the crucial role that states play in planning, organizing, and transporting waste to WIPP. The success of the WIPP shipping campaign relies on rigorous planning and coordination with states, and this practice should have been replicated when updating the Strategic Plan. The TAG is comprised of state agency representatives with extensive experience in nuclear waste management, transportation planning and policy development. Their extensive experience with WIPP's operations would have been a valuable contribution to DOE's consideration of future plans and activities at WIPP.

The Strategic Plan contains several references to "strategically using the regulatory process." Modifications to existing regulatory processes are likely to affect western states and cross-jurisdictional transportation planning efforts. Western Governors encourage DOE to engage in early, meaningful and substantive consultation with states when considering changes to these regulatory processes.

The Strategic Plan discusses the need for infrastructure construction and recapitalization at WIPP. Western Governors request that states be provided with advance notice and significant details about these projects, as they could influence shipment schedules and associated planning efforts in states.

Western Governors also recommend that the Strategic Plan provide more detailed information on corrective actions related to the 2014 radiation exposure incident that resulted in a pause in waste

¹ Arizona, California, Colorado, Idaho, Nebraska, New Mexico, Nevada, Oregon, Texas, Utah, Washington, and Wyoming.

shipments. The amount of discussion devoted to the 2014 incident and DOE's response is minimal given the severity of the accident. Accidents such as these affect the management and shipping timeframes of transuranic waste at sites across the West, and the Strategic Plan should contain more information about the incident, lessons learned, and actions taken to avoid future releases of radiation.

Western Governors submit these remarks through the public notice and comment process for administrative recordkeeping purposes. The Governors, however, maintain that this process is an insufficient channel for state-federal communication on federal actions that may affect state authority or administrative activity. Western Governors strongly urge you to engage in meaningful, substantive and ongoing consultation with states in advance of any such decisions or related public processes. Such consultation will result in more effective, efficient, and resilient federal policy, benefiting our shared constituents.

Sincerely,



Doug Burgum
Governor of North Dakota
Chair, WGA



Kate Brown
Governor of Oregon
Vice Chair, WGA