

**STATE AND TRIBAL GOVERNMENT WORKING GROUP (STGWWG)  
MEETING WITH THE U.S. DEPARTMENT OF ENERGY (DOE)  
LEWISTON, IDAHO  
MAY 11-12, 2005**

<b>KEY OUTCOMES</b>
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**OVERVIEW**

- STGWWG supports continued participation in a joint annual meeting of the national intergovernmental groups who interface directly with DOE on environmental cleanup issues.
- STGWWG will invite state legislators from states that host or are impacted by DOE sites to future meeting to facilitate interaction with these important state-level representatives.
- STGWWG endorses the concept of expert peer review. It is a tool that can add value and resolve scientific uncertainty. While not a substitute for a regulatory process, it can improve the quality of information that underpins regulatory decisions.
- STGWWG will continue to follow the End States (ES) initiative and looks forward to hearing the plans of the new Assistant Secretary for Environment Management (EM) in this area. STGWWG will continue to participate in the End States Working Group and agrees that many ES issues are better addressed at the national level.
- STGWWG members agreed it would be useful to invite representatives from non-EM programs to the next meeting to present information on grants, internships and other DOE program activities that would be of interest to states and Tribes.
- STGWWG expressed its gratitude to the Nez Perce Tribe for their gracious hospitality throughout the three days in the Nez Perce-Lewiston area.
- STGWWG also expressed appreciation for the level of participation by DOE at the meeting, with special thanks to Melissa Nielson and Brandt Petrusek for their work in facilitating DOE participation.

**DEPARTMENT OF ENERGY**

- DOE stated that the meeting in Lewiston and the resulting dialogue on issues of concern to both the Tribes and the states demonstrates the value of STGWWG to the work of EM. The meetings allow for focused and thoughtful discussion of

pressing issues and allow STGWWG members and senior DOE officials to communicate directly on cleanup issues of concern to both.

- DOE reports that EM will continue to press its support for STGWWG and the work of the states, Tribes and other stakeholders in accelerated cleanup.
- EM and other DOE program offices recognize the significance of the long-term stewardship (LTS) issue. This was evidenced by the range of DOE representation on the LTS panel. Although the meeting was not intended to produce definitive answers, there was tremendous value in the ongoing iterative discussion.

#### **LONG-TERM STEWARDSHIP**

- STGWWG supports a robust LTS program that will push for more thorough cleanups that would avoid the need for LTS in perpetuity. The same aggressive efforts used during the cold war weapons buildup should be applied to cleanup of the legacy waste.
- It is essential to look beyond a 30-year horizon and keep sight of the truly long-term risks associated with end states.
- STGWWG has ongoing concerns about the transfer of responsibility between offices within DOE because they can occur without adequate funding, planning and a full understanding of long-term implications. This is particularly true with LTS because of the many program offices involved. Effective coordination will take significant effort on DOE's part as well as enhanced interaction with its external partners.

#### **TRIBAL ISSUES**

- DOE states it is very committed to a government-to-government relationship with Indian Tribes. But from a tribal viewpoint, there seems to be a persistent problem with insufficient consultation on matters of mutual concern.
- It is essential that the Department not wait for finalization of the Indian Policy Implementation Plan to carry out the provisions of the Policy, including early and ongoing consultation with affected Tribes regarding DOE activities.
- The Office of Congressional and Intergovernmental Affairs (CI) is continuing as it was before the election, though not all key positions affecting Tribes have been finalized. A briefing packet on tribal issues was delivered to Secretary Bodman. CI will follow up with the Secretary on the issue of reaffirming the DOE Indian Policy.
- STGWWG will continue to communicate closely with CI on a DOE-Tribal Leader meeting, whether it is a national summit, or a regional or programmatic meeting. STGWWG Tribes re-extended their offer to help plan such a meeting.

## **TRANSPORTATION**

- STGWWG is interested in monitoring the implementation of Section 180(c) of the Nuclear Waste Policy Act (the requirement that technical assistance and funds for safety training be provided to states and Tribes along transportation corridors). Of particular interest are allowable activities, funding and allocation to Tribes and states.
- STGWWG is also interested in following the developments re the impact that acceleration of Idaho National Lab shipments to WIPP (Waste Isolation Pilot Plant) will have on shipments from other DOE sites.

## **INTEGRATION AND DISPOSITION**

- A clear strategy for waste and materials disposition is essential.
- DOE is planning to hold a workshop later this year on strategies being developed. This will be used as a "launch point." The Department wants to get input from groups such as STGWWG.
- DOE wants to foster interaction among sites. To the extent that commercial facilities are involved, they will be part of the process.

## **ENVIRONMENTAL JUSTICE**

- Environmental justice is a tool that has the potential to add value to decision-making.
- The Environmental Justice (EJ) office is sometimes approached by outside groups wanting to be involved with its programs and seeking potential funding, but EJ is always respectful of existing relationships, including the government-to-government relationship with Indian nations.