

**STATE AND TRIBAL GOVERNMENT WORKING GROUP (STGWG)**  
**INTERGOVERNMENTAL MEETING WITH**  
**THE U.S. DEPARTMENT OF ENERGY**  
**DECEMBER 8-10, 2004**  
**ARLINGTON, VIRGINIA**

<b>KEY OUTCOMES</b> <b>STGWG-ONLY SESSIONS</b>
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**OVERVIEW**

- STGWG appreciates the opportunity to meet with the Department of Energy and continues to endorse an annual meeting of the intergovernmental groups.
- The Executive Committee will monitor DOE appointments in the new administration and will look for opportunities to provide input on issues discussed at the meeting.

**LONG-TERM STEWARDSHIP (LTS) AND END STATES (ES)**

The group agreed that states and Tribes can work together on this issue and that ES and LTS cannot be separated. The group also acknowledged that there is a role for risk but that it is not the only factor to be considered. The group also wants DOE to provide official acknowledgement of the risk to tribal people under ES, especially for those who live traditional lifestyles. Willie Preacher, Tom Winston and Kara Colton have been asked by DOE to participate in the End States Working Group; STGWG endorses tribal and state representation in the working group. All Tribes and states will have an opportunity for input on ES either by letter or other avenue.

Additionally, the group wants basic questions about ES and LTS posed to DOE, including:

- Is the material that will be left on site radioactive and, if so, how much radioactivity is present?
- What technical bases are used for decisions?
- What cleanup will be done, to what level, and how will this impact LTS?
- What long-term monitoring of the site will be done?

For 2005, STGWG should promote the reuse of remediated sites and include the issue of reuse in any letter to DOE on ES and LTS. NGA will take the lead on getting state input on LTS issues, including best practices, lessons learned, and state roles and responsibilities. Willie Preacher and Neil Weber will provide tribal input on these issues. State and tribal input on the issue of beneficial reuse will also be sought, especially on the differing definitions of beneficial reuse in different areas and the need to maintain the sites for future use by Tribes per treaty rights.

**BUDGET**

NGA will coordinate a letter to DOE on budget issues. Steve Gunderson will interact for

NGA; STGWWG needs to appoint a representative to the working group on this issue. NGA will put together talking points on the budget that will be shared with STGWWG in January.

### **TRIBAL ISSUES**

STGWWG will send a letter to the new DOE Secretary, Samuel Bodman, regarding the need for attention to tribal concerns and offering the group's assistance with the next DOE-Tribal Summit.

Tribes asked for support of the full working group for STGWWG Tribes to have a lead role in organizing the summit as they are the Tribes most affected by DOE activities. The need for the summit to be an annual event was reiterated.

Tribes are also concerned that the implementation plan for the DOE Indian Policy is taking inexplicably long to finalize. In the absence of a completed implementation plan, it was mentioned that the Tribes could request a congressional hearing.

The Tribes also asked DOE for consistency on the waste reclassification issue.

The Tribal Issues Committee will take the lead on drafting a letter to DOE on these issues. It will be distributed to full STGWWG for comments.

### **TRANSPORTATION**

Jay Jones provided an update on Tribal Planning for Yucca Mountain shipments. STGWWG Tribes commended DOE's Transportation office for outlining goals and objectives with Tribes. Tribes remain concerned about the use of formulas for route selection that do not allow a tribal cultural component to be included and considered.

Priorities for the Transportation Committee for 2005 include:

- Transportation planning for Yucca Mountain shipments.
- Transportation impacts of national disposition of waste.
- Incident-free transport.

### **INTEGRATION AND DISPOSITION**

STGWWG agrees that a more focused look at Waste and Materials Management is needed. STGWWG supports the concept embodied in the SSAB Chairs' request for a national forum on the issue.

Priorities for the Integration and Disposition Committee for 2005 include:

- Waste disposition maps update.
- Continuing to follow management/gridlock/roadblock issues, including:
  - Yucca Mountain (progress, capacity)
  - WIPP (expanded authorizations)
  - Nevada Test Site (Fernald and other waste)
  - Hanford litigation and Washington State Initiative 297
  - Commercial facilities.