

**STATEMENTS EMPHASIZING THE NEED TO ADDRESS THE SPENT FUEL
STORAGE ISSUE AT DECOMMISSIONED NUCLEAR POWER REACTORS
2007 – 2010**

Delegate Sally Young Jameson, Maryland on Behalf of the National Conference of State Legislatures to the Blue Ribbon Commission on America's Nuclear Future, MAY 25, 2010

“As long-term storage solutions are developed, NCSL supports action at the federal level that would develop a plan by which the country can move forward with interim storage facilities.... NCSL strongly recommends that used fuel sitting at decommissioned or shut down nuclear reactor sites in Maine, Connecticut, Wisconsin, Oregon, Michigan, Colorado, Illinois, California and Massachusetts should be the first material to move to these facilities, enabling those states to complete the cleanup process of their reactor sites.”

Statement before the Blue Ribbon Commission on America's Nuclear Future Of Honorable Greg R. White Michigan Public Service Commission On behalf of The National Association of Regulatory Utility Commissioners – May 25, 2010

NARUC Preferences - 5. Recognizing that —starting over to develop a repository will take years, possibly decades, there remain several critical matters to address immediately:

There are nine sites where ten reactors have been permanently shut down, yet the sites cannot be fully returned to other productive uses since spent fuel is still stored there. In 2007 Congress asked DOE to come up with a plan to move that fuel to a central interim storage facility DOE would build and manage. Congress should direct DOE to implement such a plan or make arrangements with the private sector to provide this storage. We solicit the Blue-Ribbon Commission's support for this for immediate implementation.

Statement of Thomas B. Cochran, Ph.D. Senior Scientist, Nuclear Program, Natural Resources Defense Council, Inc. Before the Blue Ribbon Commission on America's Nuclear Future Washington, D.C. May 25, 2010. Section IV, page 3

“NRDC believes it makes sense to provide for consolidated dry storage of spent fuel from permanently shut down reactors that are not at sites with reactors still operational. This would facilitate decommissioning of shut down reactor sites. NRDC is opposed to off-site consolidation of spent fuel from any reactors at sites where there are operational reactors, because a) it is unnecessary, b) it does not reduce significantly security risks at the reactor sites, c) it increases risks associated with transportation of spent fuel, and d) it reduces the pressure to obtain a geologic repository.”

Letter to the Blue Ribbon Commission Co-Chairs from U.S. Senator Susan Collins, April 26, 2010

“As you consider alternatives for storage of spent nuclear fuel and associated waste, I urge you to give priority to the issue of waste at shut-down reactors”

Letter to the Blue Ribbon Commission Co-Chairs from U.S. Congressmen (Courtney, Olver, Kind, Pingree, Michaud, and Lundgren) , April 12, 2010

“As you move forward in your work, we respectfully request that you will reach out to those in our representative states that are currently responsible for these decommissioned sites to assist with your review and ensure the unique challenges faced by decommissioned plants can be addressed in your final recommendations.”

National Journal, Key Issue - Should Yucca Mountain Remain An Option? by Amy Harder, April 1, 2010, NationalJournal.com

The following was submitted by Victor Gilinsky, former member of the Nuclear Regulatory Commission in response to the question: Whether or not Yucca remains off the table, what are some viable options for nuclear waste? “Surface storage, which the nuclear generators are already implementing, is in the cards for the indefinite future. It would make sense to collect the spent fuel from “orphan” sites—the ones at which the power plants have shut down—at a federal site. I don’t believe anyone has the stomach to start again with another geologic site, and won’t for a long time.”

National Association of Regulatory Utility Commissioners, Resolution Adopted 2/17/2010 - “National Policy for Management and Disposal of Spent Fuel from Commercial Nuclear Power Plants”

... be it resolved “That NARUC pro-actively inform the Commission, DOE and the Congress that there are benefits in taking an initial near-term action to provide government or industry-run central interim storage of used nuclear fuel from the nine shutdown reactor sites, since it seems that whatever new disposal or reprocessing strategy is pursued, it will be unlikely to be in operation for another twenty or more years;”

Letter to DOE Secretary Chu from New England Governor’s Baldacci; Rell; Carcieri; Patrick; Lynch; and Douglas, December 18, 2009

“There is growing consensus that the expedited removal and consolidation of spent nuclear fuel and high-level waste from decommissioned reactor sites is sound public policy.” ... “We also request that you direct the Blue Ribbon Commission to develop policy alternatives and recommendations that will lead to the removal of the spent nuclear fuel and high level waste stored at decommissioned and operating reactor sites at the earliest possible date.” ... “We are pleased to learn that you recently stated your intention to appoint a Commission member with experience managing spent nuclear fuel at a decommissioned reactor sites. It is crucial that this type of expertise be represented on the Commission.”

“NUCLEAR WASTE MANAGEMENT: Key Attributes, Challenges, and Costs of the Yucca Mountain Repository and Two Potential Alternatives”, U.S. Government Accountability Office (GAO-10-48) November 2009

“Centralized storage at two locations provides an alternative that could be implemented within 10 to 30 years, allowing more time to consider final disposal options, nuclear waste to be removed from decommissioned reactor sites, and the government to take custody of commercial nuclear waste, saving billions of dollars in liabilities.” (Summary Sheet)

“Centralized storage would consolidate the nation’s nuclear waste after reactors are decommissioned, thereby decreasing the complexity of securing and overseeing the waste and increasing the efficiency of waste storage operations. This alternative would remove nuclear waste from all DOE sites and nine shutdown reactor sites that have no operations other than nuclear waste storage, allowing these sites to be closed. Some of these storage sites occupy land that potentially could be used for other purposes, imposing an opportunity cost on states and communities that no longer receive the benefits of electricity generation from the reactors.” (page 29)

Letter to DOE Secretary Chu from Jim Brett, New England Council President, October 13, 2009

“As you work to create the Commission, we respectfully recommend that the Administration include on any panel the expertise and experience of someone intimately familiar with the challenges and day-to-day management of decommissioned plants, especially the three sites located in New England. We are heartened at your August 4 reply to the Massachusetts Senate delegation stating that you are in agreement with the suggestion that “such an expert” should be included on the panel.”

“We hope in the short-term the Administration recognizes the challenges faced by the decommissioned nuclear plant sites in New England that are serving as de facto interim nuclear waste storage facilities and that the Blue Ribbon Commission is instructed to specifically develop recommendations for timely removal of the radioactive material stranded at these sites.”

Ernest Moniz - Remarks before the Nuclear Waste Technical Review Board, as reported in Nuclear Energy Overview, Sept 25 – Oct 1, 2009

“The NWTRB heard of progress on the Massachusetts Institute of Technology’s report, ‘The Future of the Nuclear Fuel Cycle,’ to be published this fall.” ... “Several speakers noted the current success of the nuclear industry in the safe and secure storage of used nuclear fuel at reactor sites, including Moniz, who added that consolidating storage to centralized locations made sense for shutdown and decommissioned nuclear reactors.”

Letter to the Chairman and Ranking Member of the Senate Subcommittee on Energy and Water Development from Senators Lieberman and Dodd, September 14, 2009

“As you finalize the Energy and Water Appropriations Act of 2010, we urge that any language pertaining to the proposed Blue Ribbon Commission on nuclear waste remain mindful of the special circumstances confronting decommissioned nuclear reactor sites. We think it is essential that national nuclear waste policy consider the storage issues surrounding their unique situation.”

“A number of independent reviews of our nation’s civilian nuclear energy and disposal programs have consistently recognized that the removal of the nuclear waste material from decommissioned reactor sites needs urgent attention. We believe that the Commission should recognize that permanently shutdown single-unit reactor sites, such as the Connecticut Yankee facility in our state, face a unique set of circumstances with regard to waste management and acknowledge that these sites merit distinct treatment for that reason.”

Letter to DOE Secretary Chu from Senators Kennedy and Kerry, July 10, 2009

“We’re writing to respectfully request that the forthcoming Blue Ribbon Commission on spent nuclear fuel recommend alternative strategies to Yucca Mountain for managing the nation’s civilian spent nuclear fuel at permanently shut-down, single-unit nuclear plants, including the Yankee Rowe facility in Massachusetts. ... The Commission should recognize that there are special circumstances at the sites of permanently shut down reactors and that consolidating this material for long-term management merits priority attention. ... Selecting a Commissioner with special expertise on these sites will enable the panel to address the longstanding and unique challenges posed by spent fuel storage at these sites.”

Letter to DOE Secretary Chu from the Maine PUC, MARUC, MWSC, Pennsylvania PUC, Prairie Island Indian Community, New England Council, June 17, 2009

“While the NRC is currently reviewing the DOE’s license application for the Yucca Mountain project, the Commission should encourage the DOE to implement the pilot projects proposed in its National Transportation Plan. These pilot projects will demonstrate that transporting Greater-Than-Class-C waste, spent nuclear fuel and high-level radioactive waste to a central interim storage facility or regional facilities would be safe and a cost-effective option for managing the material from commercial, decommissioned power plants and federal facilities.”

Letter to DOE Secretary Chu from the National Conference of State Legislatures, May 4, 2009

“As long term solutions are developed, we believe that the country can move forward with interim storage facilities.” ...“Finally we believe that used fuel sitting at decommissioned or shut down nuclear reactor sites in Maine, Connecticut, Wisconsin, Oregon, Michigan, Colorado, Illinois, California and Massachusetts should be the first material transported to these facilities, enabling those states to complete the clean up process at their reactor sites.”

NWSC Comments on the DOE National Transportation Plan, April 30, 2009

“While the NRC is currently reviewing the DOE’s license application for the Yucca Mountain project; adequate funds are available in the NWF for DOE to implement its transportation systems plan. The DOE/OCRWM proposed in the National Transportation Plan to, “... conduct pilot projects to assess the adequacy of policies, procedures, and processes that are unique to DOE transportation system.... These pilot projects will demonstrate that transporting Greater-Than-Class-C waste, spent nuclear fuel and high-level radioactive waste to a centralized interim storage facility would be safe and a cost-effective option for managing the material from decommissioned power plants and other facilities.”

Letter to President Barrack Obama from U.S. Congressmen Courtney, Olver, Kind, Stupak, Pingree, Michaud, Lundgren , March 24, 2009

“To this end, as you and members of your administration review our nation’s plans to manage civilian spent fuel and high-level waste, we ask that you give priority attention to the removal of this material from these sites (*shutdown reactor sites*). Specifically, we believe that these facilities merit distinct treatment in spent fuel management programs and that they collectively be given a full voice in the review of our nation’s spent fuel program.” ...

“You have made clear that the Congress and the Administration must seriously examine the next steps in our nation’s spent fuel management program. As you conduct such an examination, we firmly believe that our sites should have a separate and distinct role, or, a “seat at the table,” in such a process. These deliberations must ensure that the government demonstrates its ability to fulfill its spent fuel management responsibilities by developing a serious plan to take title to, and soon remove, spent fuel from these sites.”

National Journal – Energy & Environment Blog “How Should America Handle Its Commercial Nuclear Waste?” 2/23/2009 - Response by Marvin Fertel, President and CEO, Nuclear Energy Institute

“Consolidating used fuel at private or government centralized storage facilities is necessary for the federal government to begin meeting its legal commitment. Initially,

centralized facilities should provide storage for reactor fuel from power plants that have been shut down.”

NARUC Comment Letter to U.S. NRC’s Waste Confidence Proposed Rulemaking, Feb 3, 2009

“However, NARUC remains very concerned about the Department of Energy failure to fulfill its obligations under the NWPA and in the standard contracts with reactor owners (licensees) to accept the spent fuel for removal from present reactor storage sites, especially for locations where the reactors have shutdown and little remains besides the spent fuel and personnel and infrastructure to manage and protect the fuel.”

Letter to President-Elect Barrack Obama from Five U.S. Senators, January 15, 2009

“As you consider alternatives for storage of spent nuclear fuel and associated waste, we urge you to give priority to the issue of waste at shut-down reactors. A number of recent reviews of our nation’s civilian nuclear energy program have recognized that, because there is no operational activity at these reactors, there is a need to recognize that disposal of spent fuel and associated waste from these facilities needs particular, priority attention.”

“Report to Congress on the Demonstration of the Interim Storage of Spent Nuclear Fuel from Decommissioned Nuclear Power Plants” DOE/RW-0596, December 2008 – Conclusions - p.16

“Authorization and funding by Congress to perform interim storage would provide the Department an option in addition to Yucca Mountain to allow the Department to begin to meet its contractual obligations with the owners of commercial spent nuclear fuel. This option could prove beneficial should Yucca Mountain experience delays due to licensing, litigation, lack of funding or other causes, but only if the enabling legislation adequately addresses the issues discussed in this report. “

Nuclear Waste Strategy Coalition - Comment Letter to the U.S. NRC regarding their Proposed Revision to the Waste Confidence Rule, December 4, 2008

“... moving spent nuclear fuel and high-level radioactive waste to a centralized interim storage facility would be safe and a cost-effective option for managing spent nuclear fuel and high-level radioactive waste from decommissioned power plants and other facilities and should be authorized and funded for the near-term while a geologic repository is being licensed by the NRC.”

Testimony of Kevin D. Crowley, Ph.D. Senior Board Director, Nuclear and Radiation Studies Board, National Research Council, Before the Senate Committee on Commerce, Science, and Transportation Regarding the Safety and Security of Spent Nuclear Fuel Transportation, September 24, 2008 – page 10

“Within the context of its current contracts with commercial spent fuel owners, DOE should initiate transport to the federal repository through a pilot program involving relatively short, logistically simple movements of older fuel from closed reactors to demonstrate its ability to carry out its responsibilities in a safe and operationally effective manner.”

Letter on Nuclear Waste from Jim Brett, President of the New England Council, Inc to the New England Senate and House Delegation Members, July 23, 2008

“As you also know, New England is home to three shutdown commercial reactors in Massachusetts, Maine, and Connecticut. Until the early-mid 1990’s, these three sites provided New England residents with safe, reliable, and affordable power, and are now storing the spent material (and incurring the costs) the federal government had agreed to take possession of by 1998. In the case of the New England plants, because they are now fully decommissioned, the costs being incurred are entirely related to the secure storage of the spent fuel.” ... “We were pleased to see Congress include language in the Fiscal Year 2008 omnibus appropriations bill that directs the U.S. Department of Energy to develop a meaningful plan to remove spent nuclear fuel stored at decommissioned reactor sites and provide for the consolidated storage.”

National Conference of State Legislatures – Policy Statement April 26, 2008

“The National Conference of State Legislatures adopted new policy language on April 26th in which NCSL urges Congress and the Administration/DOE to:

- “Pursue the development of one or two private Nuclear Regulatory Commission-licensed, interim storage facilities to which spent/used nuclear fuel can be safely shipped and stored until such time as a permanent repository is open and commercial nuclear fuel recycling facilities are available.”
- “Determine the Department of Energy’s role and responsibilities under the Nuclear Waste Policy Act in moving spent/used nuclear fuel, including fuel from decommissioned plant sites, to interim storage facilities.”

Nuclear Waste Strategy Coalition – Nuclear Waste Disposal Program - Next Steps (February 2008)

“Centralized Interim Facilities. The NWSC generally supports the recommendation in the FY 2008 Consolidated Omnibus Appropriations Act directing the DOE to develop a plan to take custody of spent fuel currently stored at decommissioned reactor sites for consolidation at an existing federal site, operating reactor site(s), or

sites that volunteered to host GNEP facilities. In addition, DOE should also address the need for interim storage and disposal of greater-than-class-C waste.”

NARUC "Resolution Regarding Guiding Principles for Disposal of High Level Waste" (February 2008)

“Continued storage of spent nuclear fuel at permanently shut down plants is unacceptable because it imposes additional costs on ratepayers responsible for paying the costs associated with such on-site storage without offsetting benefits and prevents economic reuse of the site, while transfer of spent nuclear fuel from such sites to appropriate, centralized interim storage would likely reduce the government’s liability for failure to begin waste acceptance in a timely manner and improve public safety.”

House Appropriations Committee Report 110-185: Energy & Water Development Bill H.R. 2641 – Nuclear Waste Disposal Section (June 2007)

"The Committee directs the DOE to develop a plan to take custody of spent fuel currently stored at decommissioned reactor sites to both reduce costs that are ultimately borne by the taxpayer and demonstrate that DOE can move forward in the near-term with at least some element of nuclear waste policy. The Department should consider consolidation of the spent fuel from decommissioned reactors either at an existing DOE site, at one or more existing operating reactor sites, or at a competitively-selected interim storage site. The Department should engage the 11 sites that volunteered to host GNEP facilities as part of this competitive process.”

The Keystone Center, “Nuclear Power Joint Fact-Finding Report” (June 2007)

“Centralized interim storage is a reasonable alternative for managing waste from decommissioned plant sites.” (Report Press Release)

“A centralized facility that took all the spent fuel from decommissioned reactors would reduce the number of spent fuel installations, provide for consolidated and more efficient oversight of the waste, and allow the decommissioned sites to be reclaimed for other purposes. Furthermore, centralizing the management of the waste would relieve plant owners of the ongoing liability for facilities that no longer generate revenue and would provide a framework for DOE’s assumption of direct responsibility for management of spent fuel.” ... For example, if waste must be repackaged before it can be placed in Yucca Mountain, a centralized facility could provide consolidated fuel handling, eliminating the need at each shut-down reactor. Further, if the final Yucca Mountain design requires a buffer storage area so that a mix of wastes can be used to meet heat load requirements, this could also be done at a centralized facility”. (Page 79).

National Commission on Energy Policy, “Energy Policy Recommendations to the President and the 110th Congress” Section 6. Nuclear Energy (April 2007)

“Take action to address the current impasse on nuclear waste disposal, while reaffirming the ultimate objective of siting and developing one or more secure geologic disposal facilities, by amending the Nuclear Waste Policy act (NWPA) to: ... Require the Secretary of Energy to take possession of and/or remove fuel from reactor sites that have been, or are in the process of being fully decommissioned.” (Page 7)

American Physical Society, Panel on Public Affairs, “Consolidated Interim Storage of Commercial Spent Nuclear Fuel: A Technical and Programmatic Assessment” – (February 2007)

“We focus on the issues associated with proposals to establish one or more sites for the consolidated storage of spent nuclear power reactor fuel as an interim measure before final disposition.” ... Consolidated storage could facilitate the decommissioning of sites with reactors that have been shut down.” (Executive Summary)

“If consolidated interim storage becomes available and should repackaging of existing dry casks become necessary then existing casks could, in principle, be repackaged at the consolidated sites instead of at the reactor sites. There are advantages to repackaging away from the reactor sites. First there are no facilities at decommissioned sites for opening and transferring spent fuel from existing casks. A consolidated site can offer consolidated, efficient fuel handling, eliminating the need for a facility at each closed site.” (Page 14)