

Statement Summary of John T. Herron  
Transportation and Storage Subcommittee  
Blue Ribbon Commission  
November 2, 2010

In answer to the subcommittee's question of whether the U.S. should change the way in which it is storing used nuclear fuel and high-level waste while one or more final disposal locations are established, yes, a change should be made; the status quo is not acceptable. It is time for the nation to address and solve the challenge of handling used nuclear fuel. The most immediate resolution to the current stalemate is to move used fuel from individual plant sites to centralized regional storage locations as research and development and long-term planning for more permanent solutions continue.

A cleaner energy future is a goal of this Administration, one that Entergy actively embraces. According to NEI, the current nuclear fleet provides nearly 70% of the emissions-free power used in the nation today. In order to provide this clean and reliable electricity, the nuclear industry and its investors require some degree of business certainty so as to make business plans and decisions. Longer term and permanent solutions to waste handling along with regulatory predictability of costs related to environmental, safety or security concerns are fundamental to ongoing viability of existing and new nuclear generation.

In answer to the question posed in the invitation letter, "what is the path forward for resolving issues related to shutdown plants and other facilities storing used fuel?" the following issues must be considered .

1. The spent fuel litigation. Ongoing lawsuits between the utilities and the government must be addressed. The Department of Energy should meet its obligation and make the utilities, and their customers, whole according to current laws and contracts.
2. What organization is responsible? The responsible entity must be insulated from changing political winds. The "federal corporation" concept as presented by Senator Voinovich and Congressman Upton and discussed in previous meetings of your Commission has merit and should be fully vetted and investigated.
3. How will these actions be funded? The nuclear waste funds collected from consumers must be dedicated to the purposes for which they were intended. The entity in charge must have control of how dollars are spent.
4. What additional legislation is needed? Nuclear Waste Policy Act Section 148 must be amended to allow for licensing of volunteer centralized storage sites.
5. What transportation barriers and other logistical considerations exist? Transportation of radiological waste already occurs regularly in the U.S. However, additional transportation study and routes would need to be completed, with input sought from stakeholders and emergency responders along these routes. This is important in dealing with not only actual challenges but also the perceived risks of transporting used nuclear fuel away from its original location.

The decommissioned sites can provide insights into these issues. Further, a demonstration project should be implemented to provide lessons learned to these and other questions; due to Big Rock Point's history as a demonstration reactor, its location in a high unemployment state, the small amount of fuel on site, the age of this fuel, the decommissioning experience, and other factors, this site would be well suited for such a demonstration project.

6. What about long-term storage? As NEI and others have previously mentioned, we still will need a permanent repository. I support the industry position that the Yucca Mountain license application review should continue. Whether Yucca Mountain itself ever opens or not, the application review can provide valuable lessons learned for the permanent repository ultimately identified and licensed.

A new plan for storage of used nuclear fuel needs to be created. High-level waste needs to be moved to centralized regional storage locations. The technology and the experience are there. Now is the time to make it happen. The nation's decommissioned sites can be returned to natural space or productive use once the government upholds its responsibility. Operating units will have certainty allowing for planning and investment in required storage equipment. And bolstered public confidence in nuclear energy as a clean, reliable and affordable energy source will foster our country's ability to build a new generation of nuclear plants as a solution to energy demands that will only grow in coming years.