

**Congress of the United States**  
**House of Representatives**

Washington, DC 20515-4402

March 12, 2012

Secretary Steven Chu  
U.S. Department of Energy  
Forrestal Building  
1000 Independence Avenue, SW  
Washington, DC 20585-0800

Dear Secretary Chu,

I am writing to offer my comments on the Blue Ribbon Commission on America's Nuclear Future's final report. I believe the Commission has produced a comprehensive and useful report to help shape the debate on the difficult issues surrounding nuclear waste in our country. However, I continue to have concerns about one of the report's core recommendations calling for consolidated interim storage facilities.

In my August 3, 2011 letter to the Commission I acknowledged the need for temporary storage but raised concerns with consolidated interim storage, particularly when it is defined by the Commission as lasting "multiple decades (up to 100 years or possibly more)." In my letter I noted that this seemed to simply be a means of delaying the decision on the real issue – the need for a permanent repository. While the Commission acknowledges this as a criticism in its final report I believe it fails to adequately respond to the concerns I raised.

As noted in my letter, my objection to pursuing long-term, consolidated interim storage options stems from direct experience in Utah. As you may recall, in 2006 Utah successfully defeated a proposal by Private Fuel Storage (PFS) to site a high-level nuclear waste storage facility on the Goshute Indian Reservation in Skull Valley. The overarching concerns raised about the safety, security and viability of this project led to near-universal opposition in Utah – including every member of Utah's bipartisan federal delegation, Utah's previous four governors and a majority of the public. In addition, the Air Force testified before the Nuclear Regulatory Commission (NRC) that the proposal would jeopardize national defense readiness by requiring the Air Force to revise its flight paths and usage.

I raise the case of PFS because it remains the only site in the country to be licensed by the NRC for use as a consolidated interim storage facility and I fear it could be looked to once again as a future site. While the draft report calls for any process for siting such a facility to be "consent-based," it remains vague on what that would entail. I believe that community involvement in the siting of storage and disposal facilities is vital to the process but I fail to see how the "consent-based" approach addresses the specific concerns raised by the Skull Valley case.

More broadly, the Commission's decision to not seriously consider the use of hardened on-site storage (HOSS) as an alternative to consolidated interim storage was disappointing. HOSS, whereby spent fuel rods are removed from cooling pools and stored in durable, dry

casks, mitigates many of the risks associated with consolidated interim storage by protecting from both the potential of attack and accident that could lead to the release of radioactive materials. In addition, HOSS would be sited on existing nuclear facilities thereby alleviating the difficulties in finding a new site for a consolidated facility. Until a permanent solution can be found, this dangerous radioactive material should remain on-site at nuclear power plants. These facilities are already designed to withstand accidents and attacks, they are fully staffed in terms of security and this would remove the risk of shipping this dangerous material twice.

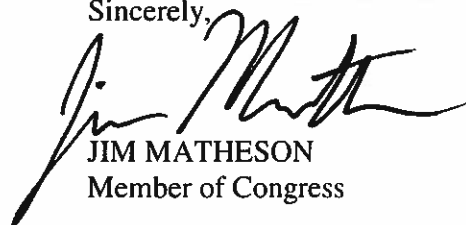
The Commission's final report also recommends that before any interim storage facility is built a permanent disposal facility must be sited. I support the construction of a permanent repository for nuclear waste prior to the construction of a consolidated interim storage facility but I do not believe the Commission's recommendation goes far enough to achieve that goal. While siting a permanent disposal facility is an important step it certainly is not the only step. Local opposition, litigation and a lack of funding could prevent the completion of such a facility for decades while the consolidated storage facility continues to serve as the de facto permanent facility.

In light of my continued concerns, I ask you to provide answers to the following questions:

- Why did the Commission decline to seriously consider HOSS as an alternative to consolidated interim storage?
- Can the Commission provide an in-depth explanation as to why HOSS is not the preferred interim storage option?
- Will the Commission's consent-based approach allow states, tribes and local limits to set binding limits on the number of years a consolidated interim storage facility can hold waste?
- As noted above, the completion of a permanent disposal facility hinges on much more than just siting. How do the Commission's recommendations ensure that a permanent disposal facility is completed in a timely manner?

We all have a stake in ensuring the long-term safety and stability of our nuclear waste. I believe it is important to keep our focus on the long-term goal of permanently disposing of our nation's nuclear waste and spent fuel. Thank you for your work with the Blue Ribbon Commission and your consideration of these questions.

Sincerely,



JIM MATHESON  
Member of Congress