

Congress of the United States
House of Representatives
Washington, DC 20515-4402

August 3, 2011

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 provide my comments regarding the Blue Ribbon Commission on America's Nuclear Future's draft report dated July 29, 2011. I appreciate the diligent work the Commission has done over the last year and half and believe it has produced a comprehensive and useful report to help shape debate on the difficult issues surrounding nuclear waste in our country. However, I have concerns about one of the report's core recommendations calling for consolidated interim storage facilities across the country and hope this issue will be further analyzed before the final report is issued next year.

While I recognize the need for temporary storage, focusing primarily on consolidated interim storage, particularly when this is defined by the Commission as "storage for very long periods of time (up to a century or more)", is essentially a means of delaying a decision on the real issue – the need for a permanent repository. I believe we should keep the development of a permanent solution to our waste problem our central goal and, until this is established, focus on how best to store nuclear waste on-site, not at a consolidated facility.

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 to site a high-level nuclear waste storage facility on the Goshute Indian Reservation in Skull Valley. The proposal called for building an above-ground interim storage facility for 44,000 tons of spent nuclear fuel rods, near a major metropolitan area (Salt Lake City), a major Interstate (I-80), and, most worrisome, on the doorstep of the largest overland bomb test and training range in the Department of Defense (the Utah Test and Training Range).

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 last four governors, and a majority of the public. In addition, the Air Force testified before the Nuclear Regulatory Commission that the proposal would be harmful to UTTR's military operating area and jeopardize national defense readiness by requiring the Air Force to revise their flight paths and usage of the southern end of the UTTR, effectively reducing the size of the range by roughly one-third. It is clear that allowing the majority of our nation's spent nuclear fuel rods to sit above ground, underneath the direct flight path of fighter jets using the range on a daily basis was not acceptable in 2006 and is certainly not acceptable now.

I raise the case of PFS because it remains the only site in the country to be licensed by the Nuclear Regulatory Commission for use as a consolidated interim storage facility and I fear it could be looked to once again as a future site. The Commission's draft report does not appear to have studied the PFS proposal adequately and learned from the mistakes of this misguided attempt to build a consolidated interim storage site in Skull Valley. The Commission should review this case carefully and recognize that it is critical to avoid forcing any state or locality to serve as a consolidated interim storage site for the majority of our nation's nuclear waste, particularly when such a site could be expected to store that waste for well over 100 years. While the draft report does call for any process for siting such a facility to be "consent-based," it remains vague on that point. I would ask you to reconsider that stance, based on our experience in Utah.

Going forward, I ask the Commission to reconsider the proposition that off-site, consolidated interim storage is an appropriate response to the admittedly-difficult problem of secure and safe spent fuel rod storage. I have long advocated for interim on-site disposal, and believe that this is an appropriate and feasible option until a permanent repository is established. Specifically, I ask you to consider a two-part solution that is advocated by a number of other elected officials and community organizations from around the nation:

- First, the Blue Ribbon Commission should endorse a move to hardened on-site storage (HOSS), whereby spent fuel rods are removed from cooling pools and stored in durable, dry casks, protected from both the potential of attack, accident and any release of radioactive materials. 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.
- Secondly, the Commission should move forward with its recommendations in the Disposal Subcommittee draft report that "The United States should proceed expeditiously to develop one or more permanent deep geological facilities for the safe disposal of high-level nuclear waste." As that Subcommittee report notes, siting such a facility will not be easy, but I'm confident that we are capable as a nation of finding a permanent, safe, underground location to hold this highly dangerous material.

We all have a stake in ensuring the long-term safety and stability of our nuclear waste and it is critical we take the time to examine all proposals thoroughly, with broad public and expert input, before final recommendations are released. I believe it is important to keep our focus on the long term goal of permanently storing our nation's nuclear waste and spent fuel. Thank you for your work with the Blue Ribbon Commission and your consideration of these comments.

Sincerely,



JIM MATHESON
Member of Congress