

State Nuclear Safety Inspector Office
Maine CDC – DHHS

October 2011 Monthly Report to the Legislature

Executive Summary

As part of the State’s long standing oversight of Maine Yankee’s nuclear activities, legislation was enacted in the second regular session of the 123rd and signed by Governor John Baldacci requiring that the State Nuclear Safety Inspector prepare a monthly report on the oversight activities performed at the Maine Yankee Independent Spent Fuel Storage Installation facility located in Wiscasset, Maine.

The report covers activities at the storage facility, including the State’s on-going environmental radiation surveillance and the post decommissioning groundwater monitoring program, the national debate over the licensing and construction of a geologic repository for the disposal of spent nuclear fuel at Yucca Mountain in Nevada. The report’s highlights assist readers to focus on the significant activities that took place during the month, both locally and nationally.

LOCAL:

- The third quarter results of the State’s environmental radiation continued to illustrate three distinct groupings with the same two stations that are historically high. The highest stations recorded an average exposure of 30.3 as compared to normal background levels of 15 to 30 on the coast of Maine.
- Maine Yankee submitted its final, revised radiological groundwater monitoring report covering the five year period post decommissioning after responding to the State’s comments to its initial report.
- Maine Yankee held its annual emergency plan exercise with participation from local and state organizations, such as the Wiscasset Emergency Medical Services and Police Department, the Lincoln County Sheriff’s Office and Emergency Management Agency, the State Police, the Maine Emergency Management Agency, and the Office of Nuclear Safety.

The national highlights primarily focused on the Blue Ribbon Commission’s public meetings and stakeholder comments as noted below and included:

National:

- The Nuclear Regulatory Commission (NRC) held two more meetings, one in Illinois and one in California, to inform stakeholders on their waste confidence and extended storage activities for spent nuclear fuel. The NRC’s Waste Confidence Rule, which was enacted in December of 2010, allows on-site dry cask storage for up to 60 years beyond the licensed life of a reactor. The extended storage concept would allow dry cask storage on-site up to 300 years.
- The Blue Ribbon Commission on America’s Nuclear Future held four regional meetings to receive feedback from stakeholders on their July 29th draft report on how to manage the back end of the nuclear fuel cycle. One of the regional meetings was held in Boston. Maine Yankee’s Vice President and the Maine Yankee Community Advisory Panel testified at the meeting. Maine Yankee’s Chief Nuclear Officer testified at the Washington, D.C. meeting.

- The House's Subcommittees on Investigation and Oversight and Energy and Environment held a joint meeting to discuss the Blue Ribbon Commission's draft recommendations and questioned six witnesses on science and technology issues associated with spent nuclear fuel management.
- The New England Council, Connecticut's Congressman Joe Courtney, Massachusetts' Congressman John Olver and Attorney General Martha Coakley, and Maine's Congressional Representatives Michael Michaud and Chellie Pingree submitted letters to the Blue Ribbon Commission's expressing their universal support for the construction of consolidated interim storage facilities with first in line shipping rights to decommissioned reactor sites.
- Maine Yankee and the Decommissioned Plant Coalition commented on the Nuclear Regulatory Commission's draft security guidance for independent storage of spent nuclear fuel, high-level radioactive waste and greater than Class C waste. They expressed concern that the guidance was based more on spent fuel pools and other radioactive sources at operating nuclear power plants as opposed to dry cask storage units with their corresponding significantly lower risks. Both contend that the proposed increased security requirements will considerably increase costs to ratepayers, especially in light of the federal government's current posture for on-site storage up to 120 years with the potential of extended storage up to 300 years. The Decommissioned Plant Coalition also expressed these views to the Blue Ribbon Commission as part of their comments on the Commission's July 2011 draft report.
- The National Association of Regulatory Utility Commissioners, the Nuclear Energy Institute and seventeen nuclear utilities filed their reply brief with the U.S. Court of Appeals for the District of Columbia to their petition for Court review of the final actions or failures to act by the Department of Energy on the annual fee assessment for the Nuclear Waste Fund. The petitioners contend that the Energy Department's fee determination failed to meet the Nuclear Waste Policy Act's explicit statutory requirements.

Introduction

As part of the Department of Health and Human Services' responsibility under Title 22, Maine Revised Statutes Annotated (MRSA) §666 (2), as enacted under Public Law, Chapter 539 in the second regular session of the 123rd Legislature, the foregoing is the monthly report from the State Nuclear Safety Inspector.

The State Inspector's individual activities for the past month are highlighted under certain broad categories, as illustrated below. Since some activities are periodic and on-going, there may be some months when very little will be reported under that category. It is recommended for reviewers to examine previous reports to ensure connectivity with the information presented as it would be cumbersome to continuously repeat prior information in every report. Past reports are available from the Radiation Control Program's web site at the following link: www.maineradiationcontrol.org and by clicking on the nuclear safety link in the left hand margin.

Commencing with the January 2010 report the glossary and the historical perspective addendum are no longer included in the report. Instead, this information is available at the Radiation Control Program's website noted above. In some situations the footnotes may include some basic information and may redirect the reviewer to the website.

Independent Spent Fuel Storage Installation (ISFSI)

During October the general status of the ISFSI was normal, with no instances of spurious alarms due to environmental conditions.

There were no fire- or security-related impairments. However, there were six security events logged for the month and all were due to transient camera issues due to environmental conditions.

There were five condition reports¹ (CR) for the month of October and they are described below.

1st CR: Documented a failing non-security monitor. The monitor was replaced.

2nd CR: Addressed a non-security camera which was experiencing problems. The problem was promptly corrected.

3rd CR: Issued to track open items associated with a periodic, in-house self assessment.

4th CR: Issued to track open items from an emergency plan drill.

5th CR: Was written to document some spare equipment being found out-of-date as part of a periodic, in-house self assessment.

Other ISFSI Related Activities

1. On October 3rd the Nuclear Regulatory Commission (NRC) notified Maine Yankee that it was accepting their exemption request from NRC regulations on foreign ownership, control, or domination. The issue surfaced as part of a merger between Northeast Utilities (NU) and NSTAR, which own 24% of Maine Yankee through its subsidiaries. Maine Yankee also requested the NRC's consent to an indirect license transfer due to the merger because of foreign ownership in the main companies. The NRC is expected to complete its review of the indirect license transfer request by the end of this November.

¹ A condition report is a report that promptly alerts management to potential conditions that may be adverse to quality or safety. For more information, refer to the glossary on the Radiation Program's website.

2. On October 11th the legislatively mandated oversight group, representing the Department of Environmental Protection, the State Police, the Public Advocate, the Department of Health and Human Services' Radiation Control Program and Maine Yankee, met for its quarterly meeting to discuss the State's and Maine Yankee's activities pertinent to the overseeing of the ISFSI. Maine Yankee first briefed the group on the Northeast Utilities and NSTAR merger. Maine Yankee maintained that the merger does not apply on foreign influence over storage of spent fuel. The Nuclear Regulatory Commission staff has disagreed and requested a negation plan to ensure no undue foreign interference. Further discussions are anticipated. Secondly, Maine Yankee apprised the group that its second lawsuit against the Department of Energy for not taking possession of its spent nuclear fuel was on trial that week. The second phase litigation covered the years 2003 to 2007. The Federal Courts have awarded Maine Yankee \$81.7 million for costs associated with the construction and operation of the ISFSI for the years 1999 to 2003. However, the Justice Department has appealed the award a third time. Finally, Maine Yankee informed the group that it was testifying the next day in Boston at the Blue Ribbon Commission's public stakeholder meeting on managing the nation's nuclear waste.
3. On October 12th Maine Yankee conducted its annual training of their Emergency Plan for state agencies in preparation for the annual drill. The state agencies involved in the training were the Maine Emergency Management Agency, State Police, and the Department of Environmental Protection.
4. On October 13th the Chairman of the Decommissioned Plant Coalition and Chief Nuclear Officer for Maine Yankee submitted a letter to the Nuclear Regulatory Commission's (NRC) Office of Nuclear Security and Incident Response expressing multiple concerns over the NRC's recent draft security guidance for independent storage of spent nuclear fuel, high-level radioactive waste, and reactor-related greater than Class C waste. The NRC draft proposal departs from its historical risk-informed and performance-based approach, significantly increases security related costs for ratepayers, and affects local law enforcement agencies as well as local and state governments. If accepted, the potential impacts to storage facilities could be to extend their site boundary by re-acquiring land that was previously sold or given away, increase security staff to repel threats as opposed to detecting and requesting law enforcement assistance, and re-establish emergency planning activities for the storage facilities along with state and local governments.
5. On October 19th Maine Yankee submitted a letter to the Nuclear Regulatory Commission's Office of Nuclear Security and Incident Response. The purpose of the letter was to comment on a draft, security programs regulatory guide. Although Maine Yankee supported a revision to the regulations, they expressed concern that the proposed security regulations are based more on wet storage and other radioactive sources at operating nuclear power plants as opposed to a dry storage facility and its corresponding significantly lower risk. Maine Yankee provided eleven general comments.
6. On October 26th Maine Yankee performed its annual Emergency Plan drill. The drill scenario involved two intruders reaching the ISFSI's vehicle barrier fence and launching two gas cylinders from the back end of a pick-up truck, then fleeing to the Ferry Road Landing and escaping by boat. The gas cylinders impacted two of the concrete casks with some minor concrete damage. Some of the concrete was chipped off near the bottom intake vents. Elevated radiation levels were localized to the casks with no radiation levels above normal background levels at the site boundary. Outside participants' in the drill included the State Police, the Maine Emergency Management Agency, the Wiscasset Police Department, the Lincoln County Sheriff's Office, the Lincoln County Emergency Management Agency, the Wiscasset Emergency Medical Services, and the State Nuclear Safety Inspector.

Environmental

On October 25th the State received the third quarter results from the field replacement of its thermoluminescent dosimeters² around the ISFSI and the Maine Yankee industrial site. The results from the quarterly TLD change out continued to illustrate three distinct exposure groups: elevated, slightly elevated, and normal. The high stations identified were G and K and averaged 30.3 milliRoentgens³ (mR).

The moderately high group stations were E, F, J, and P, and averaged 28.3 mR. For the second consecutive quarter there appeared to be a subset of the moderately high group which contained the stations L and O with a slightly lower average of 27.0 mR. There appears to be no straightforward reason for the slightly elevated status except to possibly attribute it to localized background variability in the radiation levels at these stations. The stations appear to trade places. For example, last quarter stations J, M, and O were in this group. This quarter station J went to the moderately elevated group, station M went to the normal group, and station O stayed in this slightly elevated subset. Station L, which was in the moderately elevated group last quarter went down to the slightly elevated subset, whereas station P went from the normal range to the moderately elevated group. These deviations will be tracked over the next several quarters to see if a pattern develops. The remaining stations A, B, C, D, H, I, M, N and Q averaged 24.7 mR.

The Maine Yankee industrial site TLDs averaged 24.1 mR, which is comparable to the normally expected background radiation levels of 15 to 30 mR on the coast of Maine. The background levels are highly dependent upon seasonal fluctuations in the out gassing of the naturally radioactive Radon gas, tidal effects, and local geology.

All the summer TLD results were higher when compared to the winter and spring results. That is to be expected as frozen ground conditions and snow cover primarily impede the out gassing of Radon in the soils.

The control TLDs that are stored at the State's Radiation Control Program in Augusta averaged about 13.6 mR. The storing of the control TLDs at the Health and Environmental Testing Laboratory's pre-World War II steel vault had a demonstrative affect on the TLD values. The 13.6 mR is noticeably lower than last quarter's control results of 21.7 mR. As noted in last month's report, the State commenced a program to better quantify the individual impacts of storage and transit exposures to the thermoluminescent dosimeters (TLDs).

As a further application of this TLD assessment, on September 19th three of the seven control TLDs received for the fourth quarter were returned to the State's TLD vendor, Global Dosimetry in California, for an analysis of the transportation exposures. The initial set of results from the control TLD badges returned indicated an average of 5.6 mR for the total exposure picked up between leaving the vendor, arriving at the State and then immediately being shipped back and received by the vendor. Since these control TLDs were never exposed to the radiation fields near the ISFSI, this 5.6 mR value was included in TLD results previous reported. The ongoing assessment, which is expected to last about two years, will allow for more accurate comparisons between control TLDs and field results besides quantifying the actual radiological impact from the stored nuclear fuel.

The field control TLDs at Ferry Landing on Westport Island, Edgecomb Fire Station and the roof of the State's Health and Environmental Testing Laboratory read 28.0, 24.3 and 22.2 mR, respectively. As expected, the current values exceed those from the last quarter.

² Thermoluminescent Dosimeters (TLD) are very small, passive radiation monitors requiring laboratory analysis. For a further explanation, refer to the glossary on the Radiation Program's website.

³ A milliRoentgen (mR) is a measurement of radiation exposure. For a further explanation, refer to the glossary on the Radiation Program's website.

As noted in earlier reports the State's maintains an environmental air sampler on the roof of the Health and Environmental Testing Laboratory for local or national events. The air sampler was extremely helpful during the Fukushima event in Japan last March and April as it was instrumental in quantifying the levels of radioactivity that was coming from the crippled reactors. The third quarter results did not identify any unusual radioactive elements and were within historical ranges for both gross beta⁴ and Beryllium-7, a naturally radioactive cosmogenic element that is produced from cosmic rays interacting with the nitrogen and oxygen atoms in the atmosphere. The gross beta results ranged from 14.4 to 22.5 femto-curies per cubic meter (fCi/m³)⁵. A composite of the seven bi-weekly air filter samples was used to measure the Beryllium-7's concentration of 66.8 fCi/m³.

For informational purposes Figure 1 on page 7 illustrates the locations of the State's 17 TLD locations in the vicinity of the ISFSI. The State's locations are identified by letters with the two highest locations being stations G and K.

Groundwater Monitoring Program

On October 3rd Maine Yankee responded to the State's 53 comments on their final radiological groundwater monitoring report. Based on the State's comments Maine Yankee reissued a revised, final groundwater report incorporating most of the changes highlighted in the State's comments.

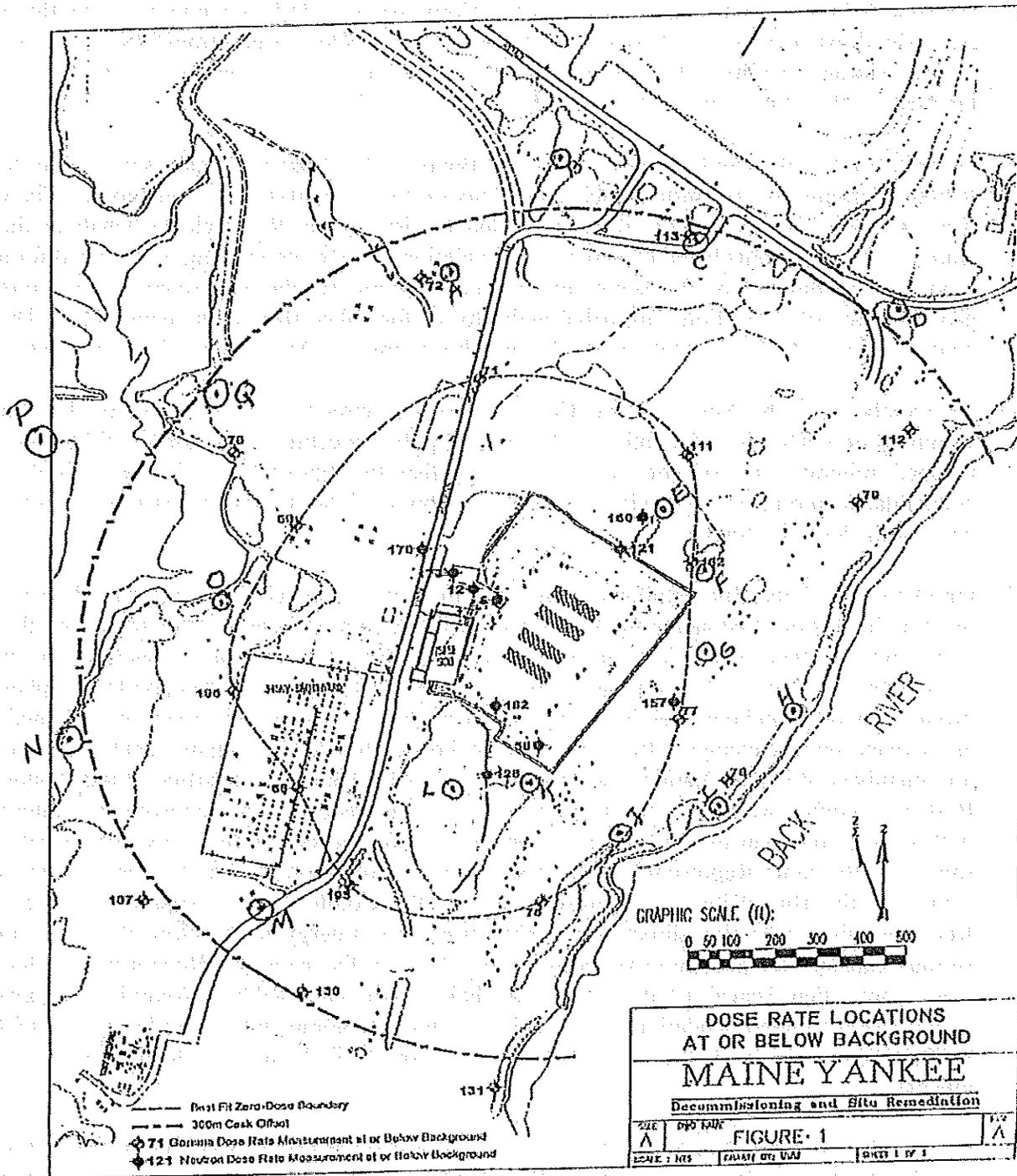
Other Newsworthy Items

1. On October 4th the Nuclear Regulatory Commission (NRC) held its second public meeting in Oakbrook Terrace, Illinois to inform and seek stakeholder input on the NRC's spent nuclear fuel activities over their Waste Confidence Rule for long-term on-site storage (up to 120 years), extended on-site storage (up to 300 years), and transportation of the used nuclear fuel. The NRC was expected to provide information on its research plans for extended storage. On October 6th the BRC held its third and final public meeting on these topics in San Luis Obispo, California. A copy of the agenda is attached.
2. On October 5th the Nuclear Waste Strategy Coalition (NWSC) held its bi-monthly conference call to update its membership on congressional appropriation efforts for Fiscal Year 2012, the recent Blue Ribbon Commission's draft recommendations and upcoming public meetings, the Department of Energy's Nuclear Waste Fund fee reports, current Nuclear Regulatory Commission (NRC) activities in light of the NRC's Order directing the cessation of all NRC activities pertaining to Yucca Mountain, and the status of the two lawsuits pending before the U. S. Court of Appeals for the DC Circuit on the withdrawal of the Yucca Mountain license application and the Nuclear Waste Fund fees. The NWSC is an ad hoc group of state utility regulators, state attorneys general, electric utilities and associate members representing 45 stakeholders in 32 states, committed to ensuring that the Department of Energy and Congress carry out the principles outlined in the Nuclear Waste Policy Act, as amended.

⁴ Gross Beta is a simple screening technique that measures the total number of beta particles emanating from a potentially radioactive sample. High values would prompt further analyses to identify the radioactive species. Refer to the glossary on the website for further information.

⁵ A fCi/m³ is an acronym for a femto-curie per cubic meter, which is a concentration unit that defines how much radioactivity is present in a particular air volume, such as a cubic meter. A "femto" is a scientific prefix for an exponential term that is equivalent to one quadrillionth (1/1,000,000,000,000,000).

Figure 1



- On October 6th the Blue Ribbon Commission on America's Nuclear Future issued a press release soliciting feedback on their July 29th draft Commission report on how to develop, implement, manage, and dispose of the nation's nuclear waste stockpile. The Presidential Commission in cooperation with The Council of State Governments – Eastern Regional Conference's Northeast High-Level Radioactive Waste Transportation Task Force held the public meeting at the Harvard Medical School's Conference Center. A copy of the notice is attached.

4. On October 7th Representative John Olver from Massachusetts forwarded a letter to the Co-Chairs of the Blue Ribbon Commission supporting the Commission's draft recommendations that spent fuel from shutdown reactors be first in line to have their nuclear waste transferred to a consolidated interim storage facility. Representative Olver also urged the Commission to retain this draft language in their final report. A copy of the letter is attached.
5. On October 11th the Confederated Tribes and Bands of the Yakama Nation sent a letter to the Blue Ribbon Commission submitting their comments on the Commission's draft report. The comments were prepared by the Institute for Energy and Environmental Research on behalf of the Yakama Nation. The comments listed eleven recommendations besides concurring on the need for a geologic repository to dispose of the spent nuclear fuel, generic regulations, science- and consent-based processes for site selection, and tribal authority to formulate their own regulations. The Yakama Nation is domiciled in the State of Washington bordering the Department of Energy's Hanford site.
6. On October 11th the New England Council issued a letter to the Co-Chairs of the Blue Ribbon Commission (BRC) in anticipation of the BRC's public meeting in Boston the following day. The Council reiterated its support for a geologic disposal repository at Yucca Mountain and for consolidated interim storage with first-in-line shipping rights to decommissioned reactor sites. A copy of the letter is attached.
7. On October 12th the Blue Ribbon Commission on America's Nuclear Future held its second public meeting in Boston, Massachusetts to receive feedback from stakeholders on managing the back-end of the nuclear fuel cycle. The meeting focused on four regional topics, such as the dilemma of consolidated versus on-site storage, consent-based siting process, transportation planning, and mixing of federal and commercial nuclear waste streams. A break-out session was formed to discuss and expand on key elements from the topics covered. In addition, Maine Yankee's Vice President and members of Maine Yankee's Community Advisory Panel also testified at the Boston Meeting. Both testimonies welcomed the Commission's recommendation for consolidated interim storage with priority removal of the stranded spent nuclear fuel at decommissioned reactor sites. On the same day the State Representative for the Town of Rowe, Massachusetts sent a letter to the Co-Chairs of the Blue Ribbon Commission urging the Commission to support the U.S. House of Representatives initiative directing the Department of Energy to develop plans for consolidated storage capacity for decommissioned reactors. Also on the same day Representative Joe Courtney from Connecticut issued a letter to the Co-Chairs of the Blue Ribbon Commission applauding the Commission's recommendations on consolidated interim storage with stranded spent fuel being first in line for movement of the used nuclear fuel. Copies of the agenda, testimonies and letters are attached.
8. On October 13th the Northeast High-Level Radioactive Waste Transportation Task Force held a meeting to discuss the previous day's Blue Ribbon Commission's public meeting testimonies. In addition, several presentations were made to the Northeast Task Force. They covered such areas as the Department of Energy's (DOE) National Nuclear Safety Administration foreign spent nuclear fuel acceptance program, updates of the DOE's Waste Isolation Pilot Plant transportation program and Brookhaven National Laboratory's decommissioning and transportation activities, the Nuclear Regulatory Commission's spent nuclear fuel management and transportation package performance update, with additional updates on the Decommissioning Plant Coalition, federal lawsuits, and Maine Yankee's ISFSI. A representative from Carlsbad, New Mexico made a presentation highlighting his local community's interest in hosting consolidated interim storage facilities as well as siting a geologic disposal facility in the salt formations near Carlsbad. A copy of the agenda is attached.

9. In October Eureka County, Nevada issued 20 pages of detailed comments and recommendations on the Blue Ribbon's Commission's draft report. The County presented their unique perspective of a local government that was potentially affected by transportation of spent nuclear fuel. In summary they listed four key recommendations:
 - o Adopt a consent-based, transparent, phased, adaptive and science-based approach to siting nuclear waste facilities.
 - o Recognize the key roles, responsibilities, and authorities of local state and tribal governments with direct authority over aspects of regulation, permitting and operation of the waste facilities.
 - o Replace the Department of Energy with a single-purpose federal corporation to re-establish public trust and confidence.
 - o Retain the U.S. Nuclear Waste Technical Review Board as an independent reviewer.
10. On October 17th the State Inspector provided some preliminary comments to the Northeast High-Level Radioactive Waste Transportation Task Force as part of a larger set of unified comments that would be submitted to the Blue Ribbon Commission on their draft report. The Northeast Task Force is comprised of representatives from the six New England states, New York, Pennsylvania, New Jersey, and Delaware.
11. On October 18th the Blue Ribbon Commission on America's Nuclear Future held its third public meeting in Atlanta, Georgia to gather information from stakeholders on its July 29th draft recommendations report for managing the nation's nuclear wastes. The panel discussions focused on states' perspectives of the draft report, financing the country's nuclear waste strategy, the policy implications for consolidated versus on-site storage, consent-based siting process, and policy considerations such as a shipping queue for a national transportation plan. A copy of the agenda is attached.
12. On October 19th the Nuclear Waste Strategy Coalition (NWSC) held its second bi-monthly conference call to update its membership on the same topics it covered in its earlier conference call, namely congressional appropriations for Fiscal Year 2012, the recent Blue Ribbon Commission's draft recommendations and upcoming public meetings, the Department of Energy's Nuclear Waste Fund fee reports, current Nuclear Regulatory Commission (NRC) activities in light of the cessation of all NRC activities pertaining to Yucca Mountain, and the status of the two lawsuits pending before the U. S. Court of Appeals for the DC Circuit on the withdrawal of the Yucca Mountain license application and the Nuclear Waste Fund fees.
13. On October 20th the Blue Ribbon Commission on America's Nuclear Future held its fourth public meeting in Washington, D.C. to gather information from stakeholders on its July 29th draft recommendations report for managing the nation's spent nuclear fuel. The panel discussions focused on advanced technology and the co-mingling of civilian and defense-related wastes. In addition, Maine Yankee's Chief Nuclear Officer testified before the Commission. His testimony expressed concern over the potential extension of on-site storage out to 300 years and the attendant risks and costs that will rise with time. He urged the Commission to embody language in its final report to specifically address steps for the Department of Energy to take immediately pending future passage of implementing legislation on the Commission's recommendations. Copies of the agenda and testimony are attached.
14. On October 20th the National Association of Regulatory Utility Commissioners (NARUC), the Nuclear Energy Institute and seventeen nuclear utilities filed their reply brief with the U.S. Court of

Appeals for the District of Columbia Circuit to their petition for Court review of the final actions or failures to act by the Department of Energy (DOE) on the annual fee assessment for the Nuclear Waste Fund. The petitioners contended that DOE's fee determination failed to meet the Nuclear Waste Policy Act's explicit statutory requirements.

15. On October 24th the State of Nevada sent a letter to the Blue Ribbon Commission on its comments to the Commission's draft report. Nevada commented on 10 specific areas of the report, such as the assessment of the Yucca Mountain failure, consent-based siting, repository regulatory requirements for retrievability, waste program reorganization and transportation recommendations. However, Nevada felt that the "single most important aspect of the draft report....is the requirement that siting for storage, disposal, and other related facilities be consent-based, with full and voluntary participation on the part of potential host states and communities." A copy of the letter without the comments is attached.
16. On October 25th the National Association of Regulatory Utility Commissioners (NARUC) provided its comments to the Blue Ribbon Commission's July 29th draft report. NARUC's had six recommendations for the Blue Ribbon Commission (BRC) and they are listed below:
 - a. Complete the Yucca Mountain license review.
 - b. Clarify the scope of consolidated interim storage.
 - c. That NARUC be represented if a Waste Fund Oversight Commission is formed.
 - d. The report should be clearer on the Nuclear Waste Fund being used for consolidated interim storage and the amending of the Nuclear Waste Policy Act.
 - e. Include recommendations on the transition to the new federal waste management organization.
 - f. That the repository be a shared government/commercial waste facility.

Since NARUC had participated in four of the five BRC public meetings it also expressed concern over public comments that expanded on the conventional philosophy of "Not In My Back Yard" (NIMBY) and coined a new term "NOPE" (Not on Planet Earth) to reflect the sentiment articulated. NARUC also provided additional comments on benefits and compensation for states, tribes, and local communities and on how to reform the Nuclear Waste Fund.

17. On October 26th the Nevada Commission on nuclear projects held a meeting to discuss the current status of the Yucca Mountain program, pending litigation and legal issues, the status of the Nuclear Regulatory Commission's licensing proceedings, and Yucca Mountain technical issues. A copy of the agenda is attached.
18. On October 27th the House's Subcommittees on Investigation and Oversight and Energy and Environment held a joint meeting to discuss the Blue Ribbon Commission's draft recommendations. Both Subcommittee Chairs questioned the Administration's claims on making decisions based on sound science in their opening remarks. The Subcommittees questioned six witnesses on science and technology issues associated with spent nuclear fuel management. Copies of testimonies from two witnesses, a scientist from Sandia National Laboratories and the Chairman of the Nye County Board, are attached. Nye County, Nevada was the host county for Yucca Mountain.
19. On October 27th Maine Representatives Michael Michaud and Chellie Pingree forwarded a letter to the Co-Chairs of the Blue Ribbon Commission expressing their concerns over the stranded used nuclear fuel at the Wiscasset storage facility and its financial impacts on ratepayers and the local community. They endorsed the Commission's draft recommendation of "placing a priority on moving spent nuclear fuel at shutdown reactor sites". A copy of the letter is attached.

20. On October 28th the Blue Ribbon Commission on America's Nuclear Future held its fifth and final public meeting in Minneapolis, Minnesota to gather stakeholder input to their July draft report. The meeting centered on regional issues and initial reactions to the draft report. The interactive breakout sessions focused on affected units of government, transportation safety and impacts on long-term extended storage on host communities. A copy of the agenda is attached.
21. On October 31st the U.S. Nuclear Waste Technical Review Board (NWTRB) sent a letter to the Blue Ribbon Commission. The Board offered comments and perspectives in the following categories:
- a) Developing generic siting criteria
 - b) Generic research on geologic media
 - c) Methods of deep geologic disposal, including deep borehole disposal
 - d) Radiation source term
 - e) Fuel degradation mechanisms related to extended dry storage of spent nuclear fuel
 - f) Management of federally owned spent nuclear fuel and high-level waste
 - g) Effects of various fuel cycle technologies on spent nuclear fuel and high-level waste management
 - h) Transport of high burn-up fuel
 - i) International Cooperation
 - j) Retaining Technical Capability and Preservation of Technical Experience

The Board concurred with the Commission's recommendations on items a, b and e above. A copy of the letter is attached.

22. On October 31st the Nuclear Waste Strategy Coalition (NWSC) sent a letter to the Blue Ribbon Commission commenting on Commission's July 29th draft report. The NWSC supported the Commission's recommendations on a consent-based approach for siting a disposal facility, the formation of a new "single-purpose organization" to manage the nation's nuclear wastes, and the prompt development of consolidated interim storage and disposal facilities starting with the nation's decommissioned reactor sites. The NWSC also expressed their disappointment with the Commission's avoidance to weigh in on the Yucca Mountain licensing process and respectfully requested for the Commission to lend its perspective on this important issue in their final report. A copy of the letter is attached.
23. On October 31st The Massachusetts Attorney General forwarded a letter to the Co-Chairs of the Blue Ribbon Commission strongly supporting the Commission's draft recommendations to establish interim storage facilities for operating and decommissioned reactor sites with shutdown reactors receiving priority removal of their stranded spent fuel. The Attorney General expressed concerns over the Nuclear Regulatory Commission's recent ruling to allow storage on-site for periods up to 120 years coupled with future considerations out to 300 years as "fostering a lack of urgency" to remove the stranded spent nuclear fuel. She emphasized the need to significantly improve the railroad infrastructure in preparation for eventual removal and also urged the Commission to include the necessary infrastructure improvements as a Commission recommendation. A copy of the letter is attached.
24. On October 31st the Decommissioning Plant Coalition (DPC) sent a letter to the designated federal officer from the Department of Energy (DOE) to the Blue Ribbon Commission on their comments to the Commission's draft report. The DPC endorsed the seven key recommendations in the Commission's draft report, especially the establishment of one or more consolidated interim storage facilities with first priority given to decommissioned reactor sites for the movement of the spent fuel. The DPC also expressed concern over the Nuclear Regulatory Commission's recent draft guidance pertaining to the security programs at stand alone storage facilities such as Maine Yankee. The DPC

contended that the draft guidance will significantly increase the costs of the storage facilities. (On the same day the DPC issued a second letter to the designated federal officer listing five factors supporting their contention.) The DPC further maintained that the standardization of the cask systems should not be a short term priority, greater than Class C wastes should be removed along with the spent nuclear fuel to an interim storage facility, and emphasized the types of near term activities that could be undertaken instantly under existing statute by the DOE. Copies of both letters are attached.

25. On October 31st the Blue Ribbon Commission sent a letter to the Department of Energy's Designated Federal Officer requesting approval for forming an Ad Hoc Subcommittee to study the co-mingling of commercial and defense wastes. The Subcommittee's investigation focus will be to determine whether the 1985 decision to co-mingle is still appropriate after twenty six years. A copy of the letter is attached.

FINAL AGENDA
MEETING TO INFORM STAKEHOLDER ABOUT
EXTENDED STORAGE AND WASTE CONFIDENCE ACTIVITIES
FOR SPENT FUEL STORAGE AND TRANSPORTATION
OCTOBER 4, 2011, 9:30 A.M. – 3:15 P.M (CDT)

9:30 a.m. – 10:00 a.m.	Check-in (<i>Security</i>)
10:00 a.m. – 10:10 a.m.	Ground Rules [<i>Facilitators</i>]
10:10 a.m. – 10:30 a.m.	Introduction and opening remarks [<i>NRC</i>]
10:30 a.m. – 10:50 a.m.	Overview of regulatory program activities [<i>NRC</i>]
10:50 a.m. – 11:30 a.m.	Stakeholder questions and feedback
11:30 a.m. – 12:30 p.m.	Lunch
12:30 p.m. – 1:00 p.m.	Current Waste Confidence Decision (2010) and Staff plans and activities supporting the Waste Confidence Update to reflect long-term storage [<i>NRC</i>]
1:00 p.m. – 1:30 p.m.	Stakeholder questions and feedback
1:30 p.m. – 1:50 p.m.	Staff plans and activities related to extended storage regulatory program research [<i>NRC</i>]
1:50 p.m. – 2:30 p.m.	Stakeholder questions and feedback
2:30 p.m. – 2:45 p.m.	Break
2:45 p.m. – 3:00 p.m.	Summary Discussions [<i>Facilitators</i>]
3:00 p.m. – 3:15 p.m.	Closing Remarks [<i>NRC</i>]
3:15 PM	Adjourn

Presidential Commission to Hold Public Meeting on High-Level Radioactive Waste Disposal in Boston October 12 at Harvard Medical School – Interested members of the public are encouraged to attend and speak out on this critical issue of our time.

The nation's high-level radioactive waste disposition program has been in shambles for decades with plenty of blame to go around for the political stalemate that has led to little meaningful progress toward a comprehensive, safe and secure solution. Tens of thousands of metric tons of spent nuclear fuel and high-level defense wastes are temporarily stored at over a hundred commercial nuclear power plants, federal defense complex facilities, university research reactors and other sites. More such waste is generated everyday but there is no site available to dispose of this highly radioactive and long-lived material. Future generations will be stuck with a serious problem, not of their making, unless something is done...

The Blue Ribbon Commission on America's Nuclear Future (BRC) was established in January 2010 by Secretary of Energy Stephen Chu, acting at the direction of President Barak Obama after the Administration cancelled the Yucca Mountain, NV National Repository Project, to conduct a comprehensive review of policies for managing the "back end" of the nuclear fuel cycle.

The Commission in cooperation with The Council of State Governments - Eastern Regional Conference (CSG-ERC) and the Northeast High-Level Radioactive Waste Transportation Task Force will hold an open meeting in Boston on October 12. The Commission will meet with regional stakeholders including state officials, nuclear utility representatives, academics, citizen organizations and the general public to gather comments on recommendations contained in a recent draft report on managing the nation's spent nuclear fuel (SNF) and high-level radioactive defense waste (HLRW).

The Commission will release its final report by January 29, 2012 which will summarize its findings, evaluate options and make recommendations to the Obama Administration and Congress for an improved nuclear waste management program strategy that covers federal SNF and HLRW disposal, storage, advanced management technologies, such as reprocessing SNF, and transportation policies.

The Boston meeting is the second of five public meetings to be held across the country and sponsored by Commission staff and state regional groups. The day-long meeting begins at 8:00 a.m. at the Harvard Medical School Conference Center, 77 Louis Pasteur, Longwood. A series of invited speakers will make presentations representing regional perspectives on the BRC draft report and there will be opportunities for the general public to comment. The meeting also will include panel discussions and facilitated, small breakout groups for all interested attendees. Several BRC commissioners will also attend and participate.

The Blue Ribbon Commission's draft 192 page report (with summary) can be accessed at: www.brc.gov or the following link to the Commission's website – [http://brc.gov/sites/default/files/documents/brc draft report 29jul2011 0.pdf](http://brc.gov/sites/default/files/documents/brc_draft_report_29jul2011_0.pdf)

Anyone with an interest in the nation's high-level waste issue, particularly as it affects the Northeastern states, is encouraged to attend the October 12 meeting. Pre-registration is encouraged: <http://brc-ma.eventbrite.com>

For more information contact:

Cort Richardson, Director
Northeast High-Level Radioactive Waste Transportation Project
The Council of State Governments – Eastern Regional Conference
802-229-5117; 802-238-0789 (cell)
crichardson@csg.org

Mary Woollen, Government/Community Liaison
Blue Ribbon Commission on America's Nuclear Future
202-631-1645; 307-733-2170 (fax)
mary.woollen@blueribboncommission.net; www.brc.gov

JOHN W. OLVER
1ST DISTRICT, MASSACHUSETTS

COMMITTEE:
APPROPRIATIONS

SUBCOMMITTEES:
TRANSPORTATION, HOUSING AND URBAN
DEVELOPMENT, AND RELATED AGENCIES
RANKING MEMBER

ENERGY AND WATER DEVELOPMENT

HOMELAND SECURITY

October 7, 2011

Congress of the United States
House of Representatives
Washington, DC 20515-2101

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The Honorable Lee Hamilton
The Honorable Brent Scowcroft
Co-Chairmen
Blue Ribbon Commission on America's Nuclear Future
U.S. Department of Energy
Forrestal Building 7A-257
1000 Independence Avenue, SW
Washington, DC 20585

RE: Spent fuel storage.

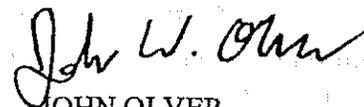
Dear Chairmen Hamilton and Scowcroft,

I am writing to express my support for the BRC's draft report recommendation that "spent fuel being stored at shutdown reactor sites should be first in line for transfer to consolidated interim storage." The Yankee Rowe spent fuel storage facility resides in my district, and I believe that this draft language would help ensure the earliest possible removal of the nuclear waste stranded at this and other decommissioned sites.

I therefore respectfully request that this draft language be included in the BRC's final report.

Please do not hesitate to contact me if I can provide further information or be of assistance on this or any other matter.

Sincerely,


JOHN OLVER
Member of Congress

October 11, 2011

The Honorable Lee Hamilton, Co-Chairman
The Honorable Brent Scowcroft, Co-Chairman
Blue Ribbon Commission on America's Nuclear Future
U.S. Department of Energy
1000 Independence Avenue, S.W.
Washington, D.C. 20585

RE: Public Meeting to Solicit Feedback on the Draft Commission Report - Boston, Massachusetts

Dear Chairman Hamilton and Chairman Scowcroft:

I am writing on behalf of the New England Council, the nation's oldest regional business organization, to provide comments on the July 29, 2011 draft report of the Blue Ribbon Commission on America's Nuclear Future (BRC) to Secretary of Energy Steven Chu. Please consider this submission for the public record.

The generation of nuclear power in New England has a decades-long history. While several New England states currently house active commercial reactors, our region is also home to shut-down commercial plants located in Rowe, Massachusetts; Wiscasset, Maine; and Haddam Neck, Connecticut. Until the mid 1990's, these sites provided New England residents with safe, reliable, and affordable power, but like other shuttered reactors around the nation, they now house the spent nuclear material the federal government was to take possession of more than 12 years ago as stated by the Nuclear Waste Policy Act (NWPA). As such, the costs associated with the storage of this material at these decommissioned sites and others across the country continue to accrue, as ratepayers continue to contribute to the Nuclear Waste Fund; a fund which holds an unspent balance of \$25 billion. In addition, because the government has not adhered to its responsibilities under the NWPA, legal rulings now make the American taxpayer liable for some \$2.2 billion in damages, with possibly more than \$16 billion accruing by the end of this decade, and another \$500 million each year thereafter.

The New England Council (the Council) has long supported the creation of a permanent nuclear waste repository, and has indicated on numerous occasions its support for the completion of such

a site at Yucca Mountain, located in Nye County, Nevada as the most sensible disposal location for high-level nuclear waste. Indeed, as the NWPA dictates, there is no current permanent storage alternative to Yucca Mountain. Although the Administration has taken steps to end the consideration of Yucca Mountain as a permanent repository site, there is no unanimity in Congress regarding the Administration's actions. In fact, House lawmakers have included language in the pending fiscal year 2012 Energy and Water Appropriations Act (H.R. 2354) that "rejects the Administration's plans to shut down the Yucca Mountain license application process and includes funds in the recommendation to continue the process." While these funding decisions have yet to be resolved, the sentiment is strong to continue work on Yucca Mountain that it may become the nation's premier spent nuclear fuel disposal site.

As the BRC draft report indicates, the deep geologic disposal of spent nuclear fuel is generally regarded as the "scientifically preferred" approach to our nation's long term needs. While the BRC report takes no position on moving forward on Yucca Mountain, it is currently the most logical deep geologic option available to be utilized in the United States. Any decision to forego the Yucca Mountain site would leave our nation without the permanent nuclear waste disposal solution mandated by the NWPA, and consequently without a federally promised process and timetable for removing spent nuclear fuel from the onsite storage facilities maintained by nuclear power providers. Any alternative to the current siting process would require, as the BRC correctly points out in its draft report, a legislative change to the NWPA. Given the years of congressional debate on this issue, such a change appears to be unlikely in the near future.

Nevertheless, the Council understands the need for and supports the concept of an interim storage facility for spent nuclear fuel, so long as priority is given to the spent nuclear fuel that has been collected and is currently being held at decommissioned reactor sites. Further, the Council believes the title to spent nuclear fuel must necessarily pass to the federal government when a permanent location for disposing of such spent fuel opens.

Regarding interim storage considerations, the Council supports the BRC's statement in its draft report that "the arguments in favor of consolidated storage are strongest for 'stranded' spent fuel from shutdown plant sites" and that "stranded fuel should be first in line for a transfer to a consolidated facility" to allow for quicker rehabilitation and beneficial development of those sites. The Council does recognize that, much like an alternative permanent repository other than Yucca Mountain, siting issues for an interim facility likely will limit options for moving ahead with such a facility.

The debate over spent nuclear fuel storage has been a dominate topic among policy makers for more than two decades, and there is concern that such discussions could go on for two more decades unless policy makers can come to an agreement on how this nation deals with such waste. Meanwhile, storage costs borne by ratepayers will continue to mount until the government meets its legal responsibility regarding spent nuclear fuel. It is the Council's hope that BRC's report will spark a new commitment to resolve longstanding issues on how best to deal with this nation's nuclear waste.

Thank you for providing us with the opportunity to comment on the draft report. If you have any questions, please do not hesitate to contact me.

Very truly yours,

David J. O'Donnell

David J. O'Donnell
Vice-President of Public Policy

Managing the Back-End of the Nuclear Fuel Cycle

**The Blue Ribbon Commission on America's Nuclear Future
The Council of State Governments—Eastern Regional Conference (CSG-ERC)
Northeast High-Level Radioactive Waste Transportation Task Force**

**Joseph B. Martin Conference Center; Harvard University Medical School
77 Avenue Louis Pasteur; Boston MA**

**October 12, 2011
Meeting Agenda**

7:30 a.m. Registration

8:00 a.m. Welcome and Introductions

- Dr. Allison Macfarlane, Associate Professor of Environmental Science and Policy, George Mason University - BRC Commissioner
- Marge Kilkelly, CSG-ERC Deputy Director, Chair Maine Yankee Community Advisory Panel
- John Giarrusso, Planning & Preparedness Chief, MA Emergency Management Agency

8:20 a.m. Review Meeting Purpose and Logistics

Moderator, Connie Lewis, Meridian Institute

8:30 a.m. Blue Ribbon Commission on America's Nuclear Future Draft Report: Key Recommendations

John Kotek, Blue Ribbon Commission Staff Director

9:00 a.m. Stranded SNF/HLW Dilemma: Consolidated vs. On-Site Interim Storage – Panel Discussion

- Sarah Hofmann, Deputy Commissioner, Vermont Department of Public Service, Chair, National Association of Regulatory Utility Commissioners Subcommittee on Nuclear Issues-Waste Disposal
- James Connell, Vice-President/ISFSI Manager, Maine Yankee Atomic Power Corporation
- Dr. Lisbeth Gronlund, Co-Director and Senior Scientist, Global Security Program, Union of Concerned Scientists
- Mary Lampert, Founder, Pilgrim Watch, Duxbury Massachusetts
- Dr. Edward L. Wilds, Director, Radiation Division, Connecticut Department of Energy and Environmental Protection

10:00 a.m. Break

10:15 a.m. Consent-Based Rad Waste Siting Process: Finding a Better Path Forward – Panel Discussion

- Sandra Levine, Senior Attorney, Conservation Law Foundation of New England
- Daniel H. Thompson, Member, Maine Yankee Community Advisory Panel
- Susan D. Wiltshire, Consultant, Radioactive Waste Management Policy; Author, "A Nuclear Waste Primer", League of Women Voters
- Dr. Seth P. Tuler, Social and Environmental Research Institute, Greenfield, MA

- 11:15 a.m. **Rad Waste Transportation Policy and Planning: Model for US Stakeholder Cooperation**
- John Giarrusso, Planning & Preparedness Chief, Massachusetts Emergency Management Agency; Co-chair, Northeast High-Level Radioactive Waste Transportation Task Force
 - Richard H. Pinney, Research Scientist, Bureau of Nuclear Engineering, New Jersey Department of Environmental Protection; Co-chair, Northeast High-Level Radioactive Waste Transportation Task Force
 - Patrick T. Edwards, FRA Program Manager, Pennsylvania Public Utility Commission
 - Lawrence "Mel" Massaro, RAM/HazMat Materials Inspector, Region II Federal Railroad Administration, US Department of Transportation
 - Cort Richardson, Director, CSG-ERC Northeast High-Level Radioactive Waste Transportation Project

12:00 p.m. **Lunch**

1:00 p.m. **West Valley: Mixed Federal and Commercial High-Level Waste – Panel Discussion**

- Paul B. Kranz, Associate Environmental Engineer, Erie County Department of Environment and Planning, Member, West Valley Citizen Task Force
- Robert Porter, President, Seneca Nation of Indians
- Dr. Raymond C. Vaughan, Environmentalist; Member, West Valley Citizen Task Force
- Christopher Gerwitz, Town Supervisor, Town of Ashford, NY; Member, West Valley Citizen Task Force

1:45 p.m. **Interactive All-Attendee Break-out Sessions: Facilitated Discussion of Key Questions**

- Facilitator – Introductions, review session process and objectives
- Participants – Provide feedback on topics discussed during morning panels and other reactions to Blue Ribbon Commission Report:
 - a. Policy implications for consolidated vs. on-site interim storage options.
 - b. Consent-based siting process
 - c. Radioactive waste transportation system planning and stakeholder cooperation
 - d. West Valley mixed federal and commercial high-level waste challenge

3:30 p.m. **Break**

3:45 p.m. **Public Comments: Sign-up by 1:00 pm**

4:45 p.m. **Meeting Wrap-up**

John Kotek - Blue Ribbon Commission report process - next steps
Connie Lewis - meeting summary

5:00 p.m. **Meeting Adjourned**

**Statement to the Blue Ribbon Commission on America's
Nuclear Future**

**James Connell, Vice-President and Independent Spent Fuel
Storage Installation Manager, Maine Yankee Atomic Power
Company**

**Boston, MA
October 12, 2011**

Distinguished Commissioners, ladies and gentlemen, my name is Jim Connell. I am Vice-President and Independent Spent Fuel Storage Installation Manager for Maine Yankee Atomic Power Company in Wiscasset, Maine where I have served as an engineer in a variety of capacities for 30 years. Additionally, I have professional responsibilities at Connecticut Yankee Atomic Power Company in Haddam, Connecticut and Yankee Atomic Electric Company in Rowe, Massachusetts. The three are separate entities known informally as the "Yankee Companies" but are linked through their oversight and shared management services.

We commend the Commission for its draft recommendation that spent nuclear fuel (SNF) at decommissioned reactor sites should be "first in line" for transfer to consolidated interim storage. We agree this finding makes good policy sense from an economic and equity perspective. Further we support strongly the Commission's draft near-term action recommendations

for the U.S. Department of Energy (DOE) using existing authority to begin implementing consolidated interim storage and the transportation planning necessary to accomplish that. I am grateful for the opportunity to participate in this discussion on the issues of stranded SNF and Greater than Class C waste (GTCC) stored at our Independent Spent Fuel Storage Installations (ISFSI). The continued burden on the ratepayers of New England and our local host communities is substantial.

All that remains at each of these former nuclear power plant sites is an ISFSI storing the SNF and GTCC waste generated during the years of operation. As U.S. Nuclear Regulatory Commission licensees, it is our responsibility to store the SNF and GTCC waste safely and securely in accordance with all applicable regulations until the federal government fulfills its obligation to remove this material from our sites as required by contract and the Nuclear Waste Policy Act. The federal government was obligated to begin removing this material in January 1998 and we are now nearly a decade into dry cask storage of this material at the three Yankee sites.

At Maine Yankee there are 60 canisters loaded with SNF and four with GTCC waste; at Connecticut Yankee there are 40 canisters loaded with SNF and three with GTCC waste; and at Yankee Atomic there are 15

canisters loaded with fuel and one with GTCC waste. I would suggest that Table 1 on Page 40 of the Blue Ribbon Commission's July 29, 2011 Draft Report be revised to more accurately state the total number of canisters at each of our sites as well as the total number of canisters loaded with GTCC waste. We encourage you to make this factual adjustment to the chart in the Final Report.

The current annual cost to operate our three ISFSIs is approximately \$24 million. We are concerned the annual cost to our ratepayers will only increase the longer the SNF and GTCC remains stranded at our sites. In addition to the future costs associated with the inevitable changes and additions to existing ISFSI regulatory requirements, we are concerned about the increased costs to New England's ratepayers from extended storage issues involving canister relicensing and ultimate transportation of the SNF and GTCC waste that is the responsibility of the federal government to remove.

In December 2010 the NRC finalized changes to its Waste Confidence Rule finding that SNF can be safely stored for at least 60 years beyond the licensed life of a reactor. NRC staff is now engaged in a process at the direction of the Commission to analyze the safety of SNF storage at plant sites or interim storage facilities for up to 300 years. The longer the SNF

and GTCC waste remains at the three Yankee sites, the more costly it will become for the region's ratepayers. Indefinitely stranding the material at the Yankee sites makes little sense. Centralized Interim Storage as your draft report suggests addresses this issue with our full support.

In closing I want to thank members of our community advisory panels, local communities, and state and federal elected officials for remaining engaged over many years in the effort to have SNF and GTCC waste removed from our sites so that the property can be returned to beneficial use and the burden on ratepayers lifted. I also want to thank again the Commission's Transportation and Storage subcommittee for meeting in Wiscasset in August 2010 to learn first-hand about the issues of stranded SNF. You listened to us then and we appreciate the opportunity to continue the conversation today.

#

**Maine Yankee Community Advisory Panel on
Spent Nuclear Fuel Storage and Removal**

October 12, 2011

The Honorable Lee Hamilton, Co-Chair
The Honorable Brent Scowcroft, Co-Chair
Blue Ribbon Commission on America's Nuclear Future
U.S. Department of Energy
Forrestal Building 7A-257
1000 Independence Avenue, SW
Washington D.C. 20585

Dear Chairmen Hamilton and Scowcroft:

The Maine Yankee Community Advisory Panel (CAP), now in its 15th year, spent most of our September 1 annual meeting discussing the Blue Ribbon Commission on America's Nuclear Future July 29 Draft Report. The CAP's purpose is to enhance open communication, public involvement and education on spent nuclear fuel storage at Maine Yankee. Attending the CAP meeting to hear our discussion of your Draft Report were representatives from the offices of Maine's congressional delegation, three Wiscasset Selectmen, the First Selectman from Westport Island, and the Director of the Northeast High-Level Radioactive Waste Transportation Project. We are pleased to provide comments from the CAP and commend you for a thorough, encouraging Draft Report.

The Maine Yankee CAP:

- Thanks the Commission for recommending that spent nuclear fuel at shutdown reactor sites should be "first in line" for transfer to consolidated interim storage.
- Unanimously endorses the Commission's recommendation for "A new, consent-based approach to siting future nuclear waste management facilities."
- Unanimously supports the Commission's recommendations for Near-Term Actions, especially in the areas of storage and transportation.

As the BRC's Transportation and Storage Subcommittee heard when they met August 10, 2010 in Wiscasset, the people of Maine and elsewhere in New England are deeply concerned and frustrated that the federal government has not fulfilled its commitment to remove spent nuclear fuel and Greater than Class C Waste from the three decommissioned Yankee sites and other nuclear facilities as required by the Nuclear Waste Policy Act. We thank you for including as a key recommendation in the Draft Report that "Spent fuel currently being stored at shutdown reactor sites should be "first in line" for transfer to consolidated interim storage." The Maine Yankee CAP and many others who testified at the August 10 subcommittee meeting made this central point, and it is gratifying to know we were heard by the Commission.

Section 5.2.1 of your Draft Report "Consolidated Storage Would Allow for the Removal of "Stranded" Spent Fuel from Shutdown Reactor Sites" does an excellent job explaining the reasons this makes good policy sense from an economic and fairness perspective.

Wiscasset and area communities had an expectation that the spent nuclear fuel would be removed by the federal government beginning in 1998 as required by the Nuclear Waste Policy Act. Maine Yankee's ratepayers have paid for the removal of this material, paid to have it transferred to dry cask storage, and continue to pay millions of dollars each year for its storage at the Maine Yankee Independent Spent Fuel Storage Installation (ISFSI). As the Commissioners who visited Maine Yankee know first hand, until the spent nuclear fuel and Greater than Class C Waste is removed, the site property and its infrastructure will be unavailable for beneficial reuse.

We unanimously endorse the Commission's first of seven key strategy elements: "A new, consent-based approach to siting future nuclear waste management facilities." Involving communities, states, tribes and other affected entities from the beginning will be crucial to the success of siting both one or more interim consolidated storage facilities and a final repository. We know from our nearly 15 years experience as a Community Advisory Panel during Maine Yankee's decommissioning, construction of the ISFSI, and now operation of that facility for an unknown length of time how important it is for the community to have a voice as decisions are made that will affect community stakeholders.

We are pleased that the draft report identifies the Waste Isolation Pilot Project in New Mexico as a model of successful stakeholder involvement. We agree and hope that future consolidated interim storage and permanent repository siting efforts will incorporate lessons learned from WIPP. As was so well stated in the Draft Report Executive Summary, "...the core difficulty remains what it has always been: finding a way to site these inherently controversial facilities and to conduct the waste management program in a manner that allows stakeholders, but most especially host communities, states, and tribes, to conclude that their interests have been adequately protected and their well-being enhanced – not merely sacrificed or overridden by the interests of the country as a whole."

Our final comment is in support of the Commission's draft recommendations for Near-Term Actions, especially in the areas of storage and transportation. We agree the Department of Energy under its existing authority should begin immediately to implement consolidated interim storage and to prepare for the transportation of spent nuclear fuel to consolidated interim storage and ultimately the final repository. These tasks must be done in parallel for it will do little good to establish an interim storage facility without the transportation system in place to safely transport this material. We know from long experience that when discussing the spent nuclear fuel issue, "Near-Term" could mean many years. We must get started right away.

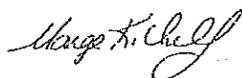
Page 3
October 12, 2011

As a concrete example of possible near-term action, we bring to the Commission's attention language in the FY 2012 House Energy & Water Development Committee Report that directs the DOE, "... to submit, with its fiscal year 2013 budget request, a plan containing options to develop interim storage capacity that would, as a priority matter, provide a means of consolidating the spent nuclear fuel and other high level waste present at permanently shut-down reactors." We encourage the Commission to endorse this committee report language submitted for adoption by Congressman Joe Courtney who represents the Second Connecticut Congressional District and the Town of Haddam where the Connecticut Yankee ISFSI is located.

We hope your final report incorporates these comments from the Maine Yankee CAP and that policy makers use the Blue Ribbon Commission Report as the template for breaking the spent nuclear fuel log jam. We are mindful that the Commission's formal work will be complete when the final report is submitted to the Secretary of Energy in January 2012. But in many ways the hard work of changing national policy on the spent nuclear fuel issue will be just beginning. We intend to remain involved in the implementation phase, and we offer our help and many years experience as a community based resource in whatever capacity may be most useful.

Thank you again for holding the BRC Transportation and Storage Subcommittee meeting in Wiscasset and for providing us an opportunity to be heard in a meaningful way.

Sincerely,



Marge Kil Kelly, Chair
Maine Yankee Community Advisory Panel

C: US Senator Olympia Snowe
US Senator Susan Collins
Congresswoman Chellie Pingree
Congressman Mike Michaud
Governor Paul LePage



The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES
STATE HOUSE, BOSTON 02133-1054

GAILANNE M. CARIDDI
STATE REPRESENTATIVE
FIRST BERKSHIRE DISTRICT

Room 130, State House
617.722.2130

District Office
10 Main Street
North Adams, MA 01247
413.664.6812

Committees:
Tourism, Arts and Cultural Development
Environment, Natural Resources & Agriculture
Municipalities and Regional Government

October 12, 2011

The Honorable Lee Hamilton, Chair
The Honorable Brent Scowcroft, Chair
Blue Ribbon Commission on America's Nuclear Future
U.S. Department of Energy
Forrestal Building 7A-257
1000 Independence Avenue, SW
Washington, DC 20585

Dear Chairmen Hamilton and Scowcroft,

Please accept this as written testimony relative to the former Yankee Atomic Electric Company in Rowe, Massachusetts, and, I respectfully urge the federal government to fulfill its obligation under the Nuclear Waste Policy Act of 1982 to remove the spent fuel from the site.

As State Representative serving the Town of Rowe and ten neighboring communities, and the former Chair of the Yankee Rowe Spent Fuel Storage & Transportation Community Advisory Board I remain committed to the complete removal of the stranded waste at the Yankee Rowe site. The Yankee Rowe site has been fully decommissioned for years, yet what remains is the Independent Spent Fuel Storage Installation facility. The removal of the material was to begin in 1998.

Aside from the fact that it has been more than a decade since removal was to have begun, time and the rate payers money is wasted until the site can be used for other beneficial ways. Removal becomes more urgent because, as time passes, concerns rise because the process is very involved and time lengthy, and may be hindered by relicensing and requirements for the transport after this unforeseen delay.

I urge the Commission to endorse the FY 2012 House Energy & Water Development Committee Report to include language that directs the Department of Energy to, "...submit, with its fiscal year 2013 budget request, a plan requesting options to develop interim storage capacity that would, as a priority matter, provide a means

Page 2

of consolidating the spent nuclear fuel and other high level waste present at permanently shut-down reactors."

I very much appreciate your attention to this matter and I look forward to seeing action toward the removal of spent fuel at Yankee Rowe. Thank you.

Sincerely yours,

GAIL CARIDDI

GAILANNE M. CARIDDI
State Representative
First Berkshire District

COMMITTEES:

ARMED SERVICES

SUBCOMMITTEES:
READINESS

SEAPOWERS AND PROJECTION FORCES

AGRICULTURE

SUBCOMMITTEES:
GENERAL FARM COMMODITIES AND
RISK MANAGEMENT
LIVESTOCK, DAIRY, AND POULTRY

ETHICS



Joe Courtney
Congress of the United States
2nd District, Connecticut
October 12th, 2011

WASHINGTON OFFICE:

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WASHINGTON, DC 20515
P (202) 225-2076
F (202) 225-4977

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The Honorable Lee Hamilton, Co-Chair
The Honorable Brent Scowcroft, Co-Chair
Blue Ribbon Commission on America's Nuclear Future
U.S. Department of Energy
Forrestal Building 7A-257
1000 Independence Ave. SW
Washington, DC. 20585

Dear Chairman Hamilton and Chairman Scowcroft:

I want to thank the Blue Ribbon Commission on America's Nuclear Future for its efforts to date to address the need for expedited removal of spent nuclear fuel from shutdown reactor sites. I applaud the Commission for including statements to address the needs of shutdown reactor sites in the Commission's Draft Report to the Secretary of Energy, and I urge their inclusion in the Commission's final report.

It is time for the country to address the long-overdue needs of these facilities and the communities that surround them, and I commend the Commission for reflecting that need in the language of their report. In particular, I applaud the Commission's recommendation for the creation of a consolidated interim storage site which would allow for the removal of spent fuel from sites like the Connecticut Yankee Independent Spent Fuel Storage Installation facility in Haddam, Connecticut. Transferring this stranded fuel out of our communities and into a new central site will ease significantly the financial burden of security and monitoring expenses ratepayers currently shoulder to store this spent fuel. In addition, ensuring that the spent fuel from these shutdown reactor sites be first in line for the transfer to a consolidated interim facility, as the Commission recommends, will quickly allow these facilities to be completely decommissioned and reclaimed for other productive uses within their respective communities.

As I know the Commission concurs, the indefinite long-term storage of spent nuclear fuel at decommissioned sites like Connecticut Yankee was never the intended outcome of past federal law and regulations. It is unacceptable that so many of our local communities are trapped by federal inaction in dealing with this unsustainable situation, and I commend the Commission for their efforts to move forward. While the U.S has waited far too long for a permanent solution to the safe repository of spent nuclear fuel, I applaud the Commission's recommendations, and I

thank the Commission for their understanding of the direct and immediate benefits of removing spent fuel from shutdown reactor sites.

Sincerely,



JOE COURTNEY
Member of Congress



**Northeast High-Level Radioactive Waste Transportation Task Force
Fall Meeting – October 13, 2011
Best Western plus Boston – The Inn at Longmeadow Medical
342 Longwood Avenue Boston, MA 02115
Agenda (Draft #5 – 10/5/11)**

Thursday, October 13 – 8:00 AM – 5:00 PM / Longwood Hall

- 7:00 a.m.** Continental Breakfast – served in meeting room
- 8:00 a.m.** Task Force Business Meeting – John Giarrusso, MEMA and Rich Pinney, NJDEP Co-chairs presiding
- Welcome: Introductions; Agenda Review; Announcements
 - Co-Chair Election
 - Rules of Procedure
 - Membership: members & alternates appointment status
 - Report on Legislative Liaisons
 - Staff Regional Meeting Attendance: BRC, SRGs, Tri-State Directors, NERHC, PEMA
 - Current Projects: PA/NY SQS planning, rail inspection protocol, NE planning guide
 - DOE Cooperative Agreement: final FY 2012 work plan & funding
 - Discussion of future priorities: next NTSF joint meeting, CGS-ERC 2012 annual meeting
 - Review BRC meeting outcomes and follow-up: file regional comments by October 30
- 9:30 a.m.** Roundtable of Northeast State Reports – session #1
- 10:00 a.m.** Break /Refreshments Provided – served in meeting room
- 10:15 a.m.** NNSA Report – Foreign Research Reactor SNF Acceptance Program: Cooperation with Northeast
Chuck Messick, Program Manager
Jeff Galan, Deputy Program Manager
- 11:00 a.m.** Local Government Interest in Hosting High-Level Rad Waste Facilities - Carlsbad, NM
John Heaton, Carlsbad Mayor's Nuclear Task Force, former NM State Legislator
- 12:00 noon** Buffet Lunch – served in meeting room
- 12:30 p.m.** Roundtable of Northeast State Reports – session #2
- 1:00 p.m.** DOE Office of Environmental Management National Report
Steve O'Connor, Director, Office of Packaging and Transportation (by speaker phone)
Ella McNeil, Transportation Emergency Preparedness Program (by speaker phone)
Michael Wangler, Transportation Specialist & NE Task Force Liaison, Office of Packaging and Transportation (by speaker phone)

- 1:45 p.m.** **NE DOE Facilities Update- Brookhaven National Laboratory**
Terri Kneitel, PE, PMP, Environmental Engineer, BNL Site Office (by speaker phone)
- 2:00 p.m.** **Update: Decommissioning Plant Coalition, Federal Lawsuit, Maine Yankee ISFSI**
Eric Howes, Public and Government Affairs Director, Maine Yankee Atomic Power Company
- 2:15 p.m.** **DOE WIPP Update / Carlsbad Field Office Report**
Andy Walker, Transportation Logistics Manager (by speaker phone)
- 3:00 p.m.** **Break /Refreshments Provided – served in meeting room**
- 3:15 p.m.** **NRC Integrated SNF Management / Transportation Package Performance Update**
Earl P. Easton, NRC Spent Fuel Project Office, Senior Level Advisor – Transportation
- 4:45 pm** **Task Force Closing Session**
- Other Business: review meeting action items**
 Plan Next Meeting
- 5:00 pm** **Adjourn**

- 11:30 a.m. **Industry Insight**
- TBD, Southern Nuclear Operating Company
- 11:45 p.m. **Environmental Group / Non-Profit Recommendations**
- Bobbi Paul, Georgia Womens' Action for New Directions (WAND)
- 12:00 **Academic Outlook**
- Dr. Glenn Sjoden, Professor of Nuclear and Radiological Engineering, Georgia Institute of Technology
- 12:15 p.m. **Lunch**
- 1:15 p.m. **Facilitated Breakout** *Participants will be divided into multiple breakout groups to discuss the following topics* **Discussion: All Attendees**
- Facilitator – introductions, review session process and objectives
 - Participants – share general reactions to BRC Draft Report and provide feedback on topics discussed during morning panels:
 - a. Policy implications for consolidated vs. on-site storage options
 - b. Consent-based siting process
 - c. What additional policy considerations (shipping queue, legislative changes, host state authority, financial obligations, etc) would you like to see addressed in a transportation plan for transporting nuclear waste?
- 3:15 p.m. **Break**
- 3:30 p.m. **Public Comment Period:** 3-5 minute comments from those that have signed up.
- 4:30 p.m. **Meeting Wrap-up**
John Kotek outlines BRC next steps
Moderator Summary
- 4:45 p.m. **Meeting Adjourned**

BRC Public Comment Meeting
Hilton Garden Inn, 815 14th Street N.W
Washington, DC 20005
October 20, 2011

- 9:00 a.m. **Introduction, Meeting Overview** Facilitator
- 9:10 a.m. **Welcome** Commissioner(s)
- 9:15 a.m. **Overview of BRC draft report** John Kotek
BRC Staff Director
- 9:45 a.m. **Panel discussion – Transportation**
- Gary Lanthrum, RAMTASC
 - Jim Wade, NE-ID
 - Wayne Norton, Yankee Atomic
 - Roxanne Lara, Eddy County, NM, Energy Communities Alliance
 - Kevin Kamps, Beyond Nuclear
- 10:45 a.m. **Break**
- 11:00 a.m. **Panel discussion – Advanced Technology**
- Alan Dobson, Energy Solutions
 - David Jones, U.S. Nuclear Infrastructure Council, AREVA
 - Ed Lyman, Union of Concerned Scientists
 - Matt Crozat, DOE-NE
 - Andrew Sowder, EPRI
- 12:00 p.m. **Lunch**
- 1:00 p.m. **Panel discussion – Co-mingling of Government and Civilian Wastes**
- Mike Lawrence, retired DOE/Battelle
 - Brian O'Connell, NARUC
 - Beatrice Brailsford, Snake River Alliance
 - Steven Kraft, NEI
- 2:00 p.m. **Break**
- 2:15 p.m. **Public Comment**
- 3:45 p.m. **Next Steps and Wrap-Up** Facilitator,
John Kotek

BRC Public Comment Meeting
Hilton Garden Inn, 815 14th Street N.W
Washington, DC 20005
October 20, 2011

9:00 a.m.	Introduction, Meeting Overview	Facilitator
9:10 a.m.	Welcome	Commissioner(s)
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	<ul style="list-style-type: none">• Mike Lawrence, retired DOE/Battelle• Brian O'Connell, NARUC• Beatrice Brailsford, Snake River Alliance• Steven Kraft, NEI	
2:00 p.m.	Break	
2:15 p.m.	Public Comment	
3:45 p.m.	Next Steps and Wrap-Up	Facilitator, John Kotek

Comments of Wayne Norton
Public Comment Meeting
Blue Ribbon Commission on America's Nuclear Future
October 20, 2011
Washington, D.C.

Members of the Commission:

I am Wayne Norton, President and Chief Executive Officer of the Yankee Atomic Electric Company (YAEC) and the Connecticut Yankee Atomic Power Company (CY) and the Chief Nuclear Officer of the Maine Yankee Atomic Power Company (MY). As you might recall, these companies operated three nuclear power reactors in New England, reactors that are now permanently shut down and decommissioned. I am also the Chairman of the Decommissioning Plant Coalition (DPC). The Coalition has been in existence for 10 years now and focuses on issues unique to the eight single-unit commercial reactor sites where the generating stations are permanently shutdown and in various stages of decommissioning.

I do not intend in the short time we have this morning to expand on this background, but would refer you to the material we submitted when the Storage and Transportation Subcommittee held its hearing in Wiscasset, Maine in August of last year for additional details on the specific posture of each such site with respect to decommissioning activities and the storage of spent nuclear fuel (SNF) and greater-than-class-C waste (GTCC). Rather, on behalf of the members and participants in the DPC, I would like to express our appreciation for the hard work that the members of this Commission and the staff have undertaken in fulfilling the responsibilities handed you by Secretary Chu some 18 months ago, work evidenced by the thoroughness of the draft report published in July.

View of the Draft Recommendations

The DPC intends to file written comments on the draft report, so let me be brief this morning. We heartily endorse the seven strategic elements set out in the report, in particular the recommendations regarding the establishment of one or more centralized interim storage (CIS) facilities with the agreement of host communities and the priority assigned to the movement of spent fuel from our facilities. We believe that the report well lays out the foundation for these recommendations.

As you have been conducting your review, challenges resulting from the ever-increasing duration of on-site storage for permanently shutdown nuclear plants continue to mount. When the NRC issued its revised Waste Confidence rule, it stated that it was not endorsing indefinite on site storage. However, it has now initiated a look at what would be necessary to support storage for a 100 to 300 year timeframe

and it has also initiated a new look at security guidance and requirements applicable to the storage mission we are currently undertaking.

These two matters, others that will undoubtedly emerge if the present trend continues indefinitely, the inevitable addition to the numbers of permanently shut-down facilities and the likely timeline for the identification, evaluation and licensing of a geologic repository all speak to the fact that CIS is the correct and responsible approach from a regulatory, security, fiscal, and management viewpoint. It simply makes no sense to evaluate these recently emergent issues at multiple facilities that no one ever expected would need to take on such an enduring task.

As Members of this Commission have observed, while many of the recommendations in the draft report will require changes to the governing federal statute, there is both existing legal authority and a need that suggests the Department of Energy should not take a passive role in setting us on a forward looking course of action. It would be our hope that the final report includes some specific recommendations for near-term actions that the Department begin during FY 2012 and FY 2013 while the Administration and the Congress debate and pass implementing legislation consistent with the Commission's recommendations for the longer term.

For example, we believe that the Department could well use funds under its spent fuel R & D program to: develop surveys and inventories of each of our sites; initiate discussions with prospective host communities, governments, and tribes; and renew support for transportation and institutional programs that have gone unfunded. Much of this work could be done under contract, avoiding the need for the re-establishment of a cadre of federal workers and in anticipation of the future transition to a new organizational entity as called for in the draft report.

In addition, we have long held that the Department needs to acknowledge that the GTCC waste that is stored at some of our sites will be accepted and removed by the Department at the same time as it accepts and removes the spent fuel. In our litigation against the DOE, the courts have upheld this view. We believe that such acknowledgement should be included in the final recommendations of the Commission and that the tables showing material at our sites be reviewed to ensure accurate inventories of GTCC are shown.

Questions Presented

In your invitation to today's panel discussion, you posed five questions concerning the transportation of SNF and high-level waste (HLW). Those questions, and our brief responses follow.

(1) If it were determined it is necessary to begin transporting SNF or HLW, what steps would you need to take to plan for shipments?

Bear in mind that it is the Department, or the successor entity, that will have the bulk of the responsibility to plan for these shipments. The Department/entity will be taking possession of material that is stored and secured in canistered systems licensed by NRC for both storage and transportation, so it strikes us that the Department and/or entity will have to begin to build itself into an NRC licensee organization. We will be able to assist with local skills, knowledge, and abilities that can assist the Department/entity as it gears itself up to that status in its planning efforts. There are, of course, a number of logistical issues that will of necessity involve us as contract holders; these are addressed in our response to Question 3, below.

(2) What officials and organizations would need to be involved?

There are likely others better suited than we to provide an answer here.

Clearly, the DOE (or successor entity), NRC, DOT, and DHS will be involved, assuming the use of NRC licensed transport casks and final federal approval of routes and emergency preparedness. There are a number of other organizations representing local, state and regional authorities and interests, many of whom have appeared before the Commission over the past several months. The important point to remember is that we do not need to reinvent the wheel here, and we should perhaps look at the transportation planning that has been done in conjunction with the Waste Isolation Pilot Project in New Mexico, which by all accounts, has been very successful.

(3) What logistical issues (making or obtaining casks, issuing contracts, conducting training, etc.) would need to be addressed?

We can fill an entire day by listing and describing these. Clearly, there will be a need to obtain qualified transfer systems and licensed transport casks, issue contracts (included amended contracts or settlements with contract holders) and undertake training, both for personnel conducting the transportation of the SNF and GTCC and those working at the receiving facility. But there are a host of other issues that will need to be addressed. One example that I'm familiar with in New England is the need to be sure that development that has taken place along the rail line serving the shutdown plants since decommissioning will not cause clearance problems for the removal of the material. Another is the condition of the rail spur: has it been paved over in locations or otherwise in need of restoration? What role will heavy haul vehicles, trucks, barge transport systems play in movement either on- or off-site? Are available cranes able to perform the next lifting and placement tasks to support the chosen transport method? What local and state officials will need to be cleared to support their duties in planning for and actual movement of the material?

These and more are both discrete and interrelated tasks. The preferred method of transport for a specific distance may be determined by the answer to another question. This will involve detailed work, and the length of the list supports our

recommendation that you identify initial steps that can be taken in the near-term under existing authority.

(4) How much time would be optimal for planning? If that schedule were compressed, what would need to change?

It strikes us that one likely pacing item for a shipping campaign is the siting, licensing and construction of a receiving facility. Under most scenarios involving a volunteer host community and a reasonably sized CIS facility, one is likely looking at a 5-7 year timeframe, at best (assuming that the facility will be licensed by the NRC). That breaks down to roughly a year for negotiation with a willing host, a year for the preparation of a license application, 2-3 years for licensing by the NRC and 18-24 months for facility construction.

We understand that the Commission has received testimony in prior meetings suggesting that adequate planning for a national transportation campaign could take as much as 9-12 years. We certainly don't have any special expertise to question this expert testimony, however, we think that a better-focused effort should be undertaken so that transportation planning does not unnecessarily delay the removal of SNF and GTCC from these sites. If one confines the initial effort to transporting the material from the permanently shutdown facilities as recommended in the draft report, we believe one could finish the "inventory" work, both as relates to material on-site and local transportation infrastructure within 12-18 months. Upgrades to the local transportation infrastructure and the acquisition of sufficient rolling stock, transport casks and other equipment necessary to support a shipping campaign from these facilities could be accomplished in 24-30 months, assuming the inventory does not determine a major problem with bridge integrity. The identification of final transportation routes for these limited numbers of facilities, including the development of necessary environmental analyses could begin upon the identification of the site and could be completed in 3-5 years at most, keeping it from becoming a critical path item. Training on all of the required equipment would take some weeks to months, but is not, in our view, a critical path activity as it can be accomplished as equipment is delivered.

We think the uncertainties in the schedule for transportation planning speaks to the need to begin this process sooner, rather than later. We would emphasize our belief that even before the creation of the new entity envisioned by the Commission in its draft report, the DOE should maximize the use of the private sector in transportation planning as called for in the Nuclear Waste Policy Act.

(5) Transportation of SNF and HLW is an issue of concern for many communities and stakeholders. How should issues of risk perception and communication be addressed?

I cannot emphasize enough the important role that our Community Advisory Panels involving citizens as well as state/local officials played in promoting an

understanding and acceptance of our decommissioning work and the current storage profile at the 3 Yankee sites. Other members of the DPC have had similar successes. As we would be handing off responsibility for the material it would behoove the Department/entity to utilize the CAP concept to address local, state and regional concerns about the safe transport of the material away from our sites.

BRIAN SANDOVAL
Governor

STATE OF NEVADA

ROBERT J. HALSTEAD
Executive Director



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October 24, 2011

Mr. Timothy A. Frazier
Designated Federal Officer
Blue Ribbon Commission on America's Nuclear Future
U.S. Department of Energy
1000 Independence Avenue, SW
Washington, DC 20585

RE: State of Nevada Comments on the Blue Ribbon Commission's Draft Report to the Secretary of Energy

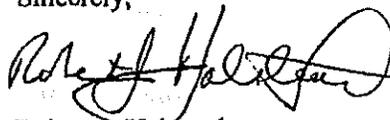
Dear Mr. Frazier:

Enclosed please find the State of Nevada's comments on the Blue Ribbon Commission's (BRC) Draft Report to the Secretary of Energy. Nevada applauds the Commission for the diligent, open, and inclusive process that was used in developing the report. The Commission and its staff have done an exceptional job of synthesizing and integrating input from diverse constituencies and sources. The Draft Report provides a comprehensive framework for successfully managing the nation's spent nuclear fuel and high-level radioactive waste.

Nevada finds that the single most important aspect of the draft report and the comprehensive approach it puts forth is the requirement that siting for storage, disposal, and other related facilities be consent-based, with full and voluntary participation on the part of potential host states and communities. Given the experience with the failed Yucca Mountain program over the past two decades, it would be impossible to overstate the importance of this aspect of the report. One constant in past failed repository and interim storage siting efforts (from Lyons, Kansas to the Nuclear Waste Negotiator's efforts under the NWPA, the Oak Ridge Monitored Retrievable Storage facility, the Private Fuel Storage facility in Utah, and Yucca Mountain) has been the failure to obtain the voluntary participation of the state within which proposed sites are located. The final BRC Report should make it unambiguously clear that the federal government or any other implementing entity must obtain the consent and voluntary participation of the potential host state. This is important even in a case where a site might be located within the geographic borders of a federally recognized Indian tribe.

Thank you for the opportunity to provide comments on the BRC Draft Report. Nevada looks forward to a final report that sets forth a comprehensive, fair, scientifically sound, consent-based and workable approach to managing spent nuclear fuel and high-level waste. If you have questions regarding the enclosed comments or if you would like additional information, please do not hesitate to contact me.

Sincerely,



Robert J. Halstead
Executive Director

RJH/

Enclosure

cc Governor Brian Sandoval
Attorney General Catherine Cortez Masto
Nevada Congressional Delegation
Commission on Nuclear Projects

BRIAN SANDOVAL
Governor

STATE OF NEVADA



RICHARD H. BRYAN
Chairman

COMMISSION ON NUCLEAR PROJECTS

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Robert J. Halstead
Executive Director

State of Nevada
POST
*****NOTICE OF PUBLIC MEETING*****
COMMISSION ON NUCLEAR PROJECTS

LOCATION: Clark County Government Center
County Commission Chambers, First Floor
500 S. Grand Central Parkway
Las Vegas, Nevada 89155

DATE AND TIME: October 26, 2011 – 1:00pm

Below is an agenda of all items to be considered. Action may be taken on items preceded by an asterisk (*).
Items on the agenda may be taken out of the order presented at the discretion of the Chairperson.

MEETING AGENDA

1. Call to Order – Senator Richard Bryan, Chairman
2. *Approval of minutes of the June 29, 2011 Nevada Commission on Nuclear Projects Meeting – Commission
3. Report from the Nevada Agency for Nuclear Projects, including: Update on the status of the Yucca Mountain program and developments since the last Commission meeting – Executive Director Robert Halstead
4. Report from the Nevada Attorney General's Office – Status of Litigation and Legal Issues – Chief Deputy Attorney General Marta Adams
5. Presentation on the Status of the Yucca Mountain licensing proceeding before the Nuclear Regulatory Commission and related matters – Special Deputy Attorney General Martin Malsch
6. Presentation on Yucca Mountain technical issues – Dr. Mike Thorne
7. Comments from Affected Units of Local Government and Tribal Representatives
8. Comments from the Public
9. *Schedule next Commission on Nuclear Projects' meeting - Commission
10. Adjournment

Agendas posted at: Las Vegas and Carson City Governor's Offices; Capitol Building, Carson City; Legislative Counsel Bureau, Carson City; State Library and Archives Building, Carson City; Blasdel Building, Carson City; Attorney General's Office, Carson City; Clark County Government Center, Las Vegas; Las Vegas City Council Chambers, Las Vegas and www.state.nv.us/nucwaste/

We are pleased to make reasonable accommodations for members of the public who are disabled and would like to attend the meeting. If special arrangements for the meeting are required, please notify the Agency for Nuclear Projects at least one working day before the meeting at 775-687-3744.

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Witnesses Highlight Missed Opportunity in Blue Ribbon Review of Nuclear Storage Options

SHARE

Top Scientist testifies that Yucca Mountain meets regulatory requirements; Local officials voice support

OCT 27, 2011



Washington DC – Today, in a joint hearing of the Subcommittee on Investigations and Oversight (I&O) and the Subcommittee on Energy and Environment (E&E), witnesses reviewed the draft recommendations contained in the Blue Ribbon Commission on America's Nuclear Future (BRC) Draft Report to the Secretary of Energy. The Subcommittees questioned the witnesses on science and technology issues associated with spent nuclear fuel management.

In his opening remarks, I&O Chairman Paul Broun (R-GA) said, "This Administration has long claimed that it makes its decisions based on science." However, regarding the specific direction that Energy Secretary Steven Chu gave to the BRC to exclude consideration of Yucca Mountain as an option for nuclear waste storage, Broun continued, "Any serious review of spent fuel management has to recognize the decades of research and billions of dollars in investment to ready Yucca Mountain to accept spent nuclear fuel."

Further highlighting the limitations of the BRC's recommendations, E&E Chairman Andy Harris (R-MD) said, "The action by the Administration is striking in that they suggest there is a better alternative without actually suggesting what or where that might be." Harris continued, "Unless and until the Federal government honors its legal obligation to proceed with disposal of high-level radioactive waste, the long-term viability of nuclear energy to meet growing electricity demands remains in doubt."

Testifying today on the technical feasibility of permanent geological nuclear waste storage, Dr. Peter Swift, of the Sandia National Laboratory, agreed with the BRC's recommendation that "every foreseeable approach to the nuclear fuel cycle still requires a means of disposal that assures the very long-term isolation of radioactive wastes from the environment." Dr. Swift discussed how the technical basis for the Yucca Mountain repository application was developed by hundreds of scientists and multiple technical experts, yet those assessments have not been made public. He said that "One of the main conclusions of these analyses is that estimated releases and radiation doses to hypothetical future humans are well below the EPA and NRC standards," and that there is "sufficient technical basis for the NRC to issue a license authorizing construction of the facility."

In response to questioning from Chairman Harris regarding transparency of Yucca-related scientific assessments, witnesses agreed that the Nuclear Regulatory Commission (NRC) should make its review of the Yucca Mountain license application, known as the Safety Evaluation Reports (SER), publicly available.

Another BRC recommendation, proposing to change the siting process to be more "consent-

based," was challenged today by a witness from Nye County, which is the community most directly impacted should Yucca Mountain be constructed. Mr. Gary Hollis, Chairman of the Nye County Board of County Commissioners, discussed the local role in overseeing technical and scientific studies, along with conducting independent analysis. Mr. Hollis said that "To ignore all this science, the law and the facts, not to mention this administration's stated 'scientific integrity policy,' because the BRC says Yucca Mountain does not have local support, is an insult to the process and contrary to the rule of law. Yucca Mountain does have local support. My presence here today confirms that."

The decision to terminate Yucca Mountain's license application has not only impacted Nevada, but every regional interim storage site in the nation. Mr. Rick McLeod, Executive Director of the Savannah River Site Reuse Organization, made clear his "strongly held concerns" that because of the Administration's decision, high-level defense waste will continue to be stored at the Savannah River Site, which he fears could become "the 'de facto' Yucca Mountain." Mr. McLeod said "We continue to believe Yucca Mountain was – and is – the right answer for permanent nuclear waste disposal, and its completion should be pursued vigorously, especially for high-level defense waste."

Chairman Broun entered into the hearing record a report prepared by the Committee's majority staff that refutes the Administration's claims that the decision to terminate the Yucca Mountain project was based on science. The Report also clearly demonstrates that the NRC independent evaluation of Yucca Mountain determined the proposed repository meets all applicable safety requirements, including those related to human health and groundwater protection, and the specific performance goals set forth by the regulatory agencies.

The following witnesses testified before the Committee:

Mr. Jack Spencer, Research Fellow, Nuclear Energy Policy, Heritage Foundation

Dr. Peter Swift, Distinguished Member of the Technical Staff, Sandia National Laboratory
Dr. Roger Kasperson, Professor and Distinguished Scientist, Clark University

Mr. Gary Hollis, Chairman, Nye County Board of County Commissioners

Mr. Rick McLeod, Executive Director, Savannah River Site Reuse Organization

Dr. Mark Peters, Deputy Laboratory Director for Programs, Argonne National Laboratory

**Statement of Dr. Peter Swift
Distinguished Member of the Technical Staff
Sandia National Laboratories¹**

**United States House of Representatives Committee on Science, Space, and Technology
Joint Hearing of the Subcommittees on Energy and Environment and Investigations and Oversight on *Review of the Blue Ribbon Commission on America's Nuclear Future Draft Recommendations*, October 27, 2011**

Chairman Harris, Chairman Broun, Ranking Members Miller and Edwards, and the distinguished members of the Committee; thank you for the opportunity to testify. I am Dr. Peter Swift, a Distinguished Member of the Technical Staff at Sandia National Laboratories.

In your letter requesting my testimony, you asked me to address three topics. First, you asked me to provide my views on the draft recommendations of the Blue Ribbon Commission on America's Nuclear Future regarding the need for a permanent geological repository. Second, you asked me to describe my role as the Chief Scientist for the Yucca Mountain Lead Laboratory. Third, you asked me to describe the various scientific issues and technical conclusions in the Department of Energy's License Application for the proposed Yucca Mountain repository.

I'd like to start with the second and third questions, and I'll close with my views on the Blue Ribbon Commission's draft recommendation.

I'm speaking only for myself; anything I say here today represents my own personal beliefs and does not necessarily represent the position of Sandia National Laboratories or the U.S. Department of Energy. Specifically, I am not here to amend or add to Sandia's technical position with respect to the Yucca Mountain License Application. That position remains unchanged from its documentation in the License Application.

I'm a geologist by training, and I've worked for the last 22 years studying how deep geologic repositories for radioactive waste will perform over hundreds of thousands of years. In my role as Chief Scientist for the Yucca Mountain Lead Laboratory team, I focused on ensuring the integrity and credibility of the scientific basis for the postclosure portions of the License Application that the DOE submitted to the Nuclear Regulatory Commission in June 2008. I was extensively involved in interactions with external and internal technical review and oversight groups, and I had a significant role in preparing the application and presenting it to the NRC.

The development of the technical basis for the Yucca Mountain repository was the work of hundreds of scientists and engineers, spread over decades. When I speak about the scientific and technical work contained in the License Application, I'm summarizing the contributions of the multiple experts who prepared the individual sections.

What types of postclosure scientific issues does the application consider? The detailed analyses presented in the application focus on those processes that have a significant potential to affect long-term performance of the repository, but all relevant events and processes, including those that are highly unlikely and those that are shown to have little or no impact on the system, are summarized in the application and evaluated in detail in supporting documents.

Subsections of the application address each of the major processes affecting the repository, including, for example, climate change, groundwater flow, and long-term degradation of the waste packages. As required by EPA and NRC regulations, analyses provide an estimate of the mean annual radiation dose that a person living in the vicinity of the repository might receive at any time in the next million years. One of the main conclusions of these analyses is that estimated releases and radiation doses to hypothetical future humans are well below the EPA and NRC standards. Overall, the application concludes that there is a sufficient technical basis for the NRC to issue a license authorizing construction of the facility. This conclusion was a fundamental basis for the 2008 submittal of the application to the NRC for review.

This brings me to my views on the Blue Ribbon Commission's draft recommendation regarding the need for a permanent geological repository. The Commission observed in their draft report that "every foreseeable approach to the nuclear fuel cycle still requires a means of disposal that assures the very long-term isolation of radioactive wastes from the environment." I agree with this observation. Alternative approaches to the nuclear fuel cycle that involve separating and recycling fissile material in irradiated fuel can change the type and character of waste requiring geologic disposal, but they will not eliminate the need. The Commission also concluded in its draft report that "deep geological disposal is the most promising and accepted method currently available," and the Commission further noted that disposal could occur either in mined repositories or potentially in deep boreholes. Again, I agree. Research to date in the United States and elsewhere provides confidence that safe and effective disposal facilities could be designed and operated in a range of geologic settings.

Recognizing that there is much to be done to establish the scientific and technical basis for licensing any of the disposal concepts available to us, and also recognizing that the regulatory process essential to ensuring public health and safety may be time-consuming, I strongly support the Blue Ribbon Commission's draft recommendation for "prompt efforts to develop one or more geologic disposal facilities."

Thank you.

¹ Sandia is a multiprogram national security laboratory owned by the United States Government and operated by Sandia Corporation for the National Nuclear Security Administration. Sandia Corporation is a subsidiary of the Lockheed Martin Corporation under Department of Energy prime contract no. DE-AC04-94AL85000.

**Subcommittee on Investigations and Oversight and
Subcommittee on Energy and Environment
Joint Subcommittee Hearing on America's Nuclear Future**

**Testimony of Gary Hollis, Chairman
Nye County Board of County Commissioners,
Nye County, Nevada
October 27, 2011**

Mr. Chairman, Members of the Committee,

Thank you for the opportunity to testify today about some of the recommendations of the Blue Ribbon Commission. I am Gary Hollis, Chairman of the Nye County Board of Commissioners and one of the County's two liaison Commissioners on Yucca Mountain issues. I have worked at the Nevada Test Site and also worked on Yucca Mountain characterization activities.

As you know, Yucca Mountain is located in Nye County. In July 2002 Congress specifically designated Nye County as the site county for a nuclear waste repository in accordance with provisions of the Nuclear Waste Policy Act -- the law Congress enacted to establish our nation's policies on high-level radioactive waste. The Act also gives Nye County authority to oversee federal activities on the repository. It is a duty that I and my fellow commissioners take very seriously.

As part of Nye County's oversight role, we worked with DOE on the science of the Yucca Mountain project, participated in the licensing proceedings and carefully followed the deliberations of the Blue Ribbon Commission. Personally, Mr. Chairman, I have questions about the need for the Blue Ribbon Commission.

The provisions of the Nuclear Waste Policy Act are clear. The Act sets out specific procedures and rules to determine if a repository at Yucca Mountain can be built safely. In 2008, when the Department of Energy submitted the license application to the Nuclear Regulatory

Commission, it was with their assurance it could be built safely. Two years later DOE tried to withdraw the license application, but not on safety grounds. To me this is a clear violation of the law. To me there is no need for a Blue Ribbon Commission to determine alternatives to Yucca Mountain. Instead, DOE, the NRC and the Obama Administration should either obey the clear mandates in the Nuclear Waste Policy Act, or should try to change it.

However, in our oversight role, Nye County has been fully engaged with the Blue Ribbon Commission. We have attended a majority of the Commission's public hearings. We shared our unique and extensive experience and offered thoughtful advice.

We are disappointed that the BRC draft report implies there is no local support in Nevada when it insists that the siting of any repository be with the consent of the communities surrounding the project. Mr Chairman, Yucca Mountain has the support of the surrounding communities. Nye County supports completing the licensing process. If the NRC determines it is unsafe to build the repository, and that determination is based on sound science and not political pressure, Nye County would oppose the construction of the repository. If it is found to be safe, we favor its construction.

Mr. Chairman, Nye County is the third largest county in the United States. In a very real sense Nye County is the only community close to Yucca Mountain. At least six rural Nevada counties support continuing with the license application process to determine if Yucca Mountain can be build safely. Included in my written testimony are resolutions of support from Nye, Esmeralda, Mineral, Lander, Churchill and Lincoln counties. The land mass of these counties, taken together, is larger than many States in this country. By any reasonable geographic definition, Yucca Mountain has the support of the surrounding community.

The DOE, ERDA, and AEC spent many years in unsuccessful attempts to site a geologic repository. The current language in the NWPA was a compromise by Congress to deal with a very difficult problem. The Nuclear Waste Policy Act tries to encourage local support, but it also sets up procedures to follow if no local support is found. In other words, Congress carefully considered the possibility that the repository would have to be built despite local opposition. Congress determined that building the repository was a national priority and should proceed despite local conditions.

It is true that the State of Nevada currently opposes Yucca Mountain. However at one time it supported it. In 1975, the Nevada legislature passed a resolution that said in part:

"the legislature of the State of Nevada strongly urges the Energy Research and Development Administration to choose the Nevada Test Site for the storage and processing of nuclear material..."

In 1987, the State Legislature created a new county that completely enclosed Yucca Mountain. It was called Bullfrog County. The new county had no population, which meant that any payment by the federal government for Yucca Mountain would go to the State government. The State fully intended to benefit from the repository.

The point is that the State of Nevada, at one time, was not opposed to dealing with nuclear waste.

It will take decades to study, license and build something other than Yucca Mountain. What if we do not find a willing state? Or if we find a willing state, what happens if it later changes its mind. If ten or fifteen years into the process, what will happen if there is an election and the new Governor opposes the repository? Would we go back to the drawing board again? Would the fate of the repository be in jeopardy with every local government election? What if

the State favors the repository but it is opposed by an outspoken community activist group? Would that violate the consent based goal? The BRC does not answer those questions.

Finally, Mr. Chairman, I want to point out that Nye County in addition to its oversight role has conducted a robust science program to determine if the repository can be built safely. The full list of our investigations is in my submitted testimony, but they include extensive study of the underground water aquifer by :

- more than forty boreholes into about 145 water zones and tracer tests to determine underground water flow
- structural geologic studies
- development of information on hydrology south of Yucca Mountain that DOE needed to complete its license application
- underground ventilation measurements and modeling for worker safety, and
- participation, as a cooperating agency, in the preparation of Environmental Impact Statements

In short, Nye County took its site county oversight responsibilities seriously. We have been active participants in the science of Yucca Mountain. To date our studies have shown that the repository can be built safely. We do not have all the scientific facts, but that is why we want to see the licensing process completed. We want a decision to be made based on science.

To ignore all this science, the law and the facts, not to mention this administration's stated "scientific integrity policy", because the BRC says Yucca Mountain does not have local support, is an insult to the process and contrary to the rule of law. Yucca Mountain does have local support. My presence here today confirms that.

Thank you. I am available to answer any questions you may have. I am here with one of the County's technical professionals. He is available to answer questions as well.

Congress of the United States
Washington, DC 20515

October 27, 2011

The Honorable Lee Hamilton, Co-Chair
The Honorable Brent Scowcroft, Co-Chair
Blue Ribbon Commission on America's Nuclear Future
U.S. Department of Energy
Forrestal Building 7A-257
1000 Independence Avenue, SW
Washington D.C. 20585

Dear Mr. Hamilton and Mr. Scowcroft,

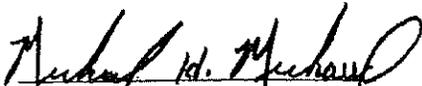
While we regret that we were unable to attend one of the recent public meetings on the draft recommendations of the Blue Ribbon Commission on America's Nuclear Future, it is reassuring that the Commission is still building on the work that it has already done. We are confident that further stakeholder input will only strengthen your final recommendations.

Right now, approximately 550 metric tons of spent nuclear fuel is sitting at the former Maine Yankee site in Wiscasset, Maine. The result is a substantial burden on consumers. Ratepayers have already contributed millions of dollars to ensure that these materials are stored safely and securely. Those costs will only increase the longer the spent nuclear fuel remains in place. Furthermore, without a plan that will ensure the transfer of these materials, efforts toward beneficial reuse of the site cannot move forward.

We have no doubt that many of the recommendations contained in the draft report, including placing a priority on moving spent nuclear fuel at shutdown reactor sites, stem directly from meetings held throughout the country, including one in Wiscasset, Maine. As the Commission moves towards its goal of submitting a final report to the Secretary of Energy in January, we hope that it will continue to place priority on the experiences of the individuals that deal with this issue firsthand every day. It is essential that the final report outline a workable path forward based on real world experience.

We look forward to reviewing the final recommendations of the Blue Ribbon Commission on America's Nuclear Future. Our country cannot wait another decade to make a decision on this issue.

Sincerely,


MICHAEL H. MICHAUD
Member of Congress


CHELLIE PINGREE
Member of Congress

The Council of State Governments Midwestern Office and
Blue Ribbon Commission on America's Nuclear Future
Meeting Agenda

Friday, October 28, 2011

Radisson Plaza Hotel, 35 South Seventh Street, Minneapolis, Minnesota

- 8:00 a.m. Registration and Sign-up for Public Comments
- 8:30 a.m. Welcome to Minnesota *Senator Amy Koch, Minnesota
Majority Leader*
- 8:35 a.m. Welcome from the Blue Ribbon Commission *Commissioner Vicky Bailey*
- 8:40 a.m. Workshop Overview and Introductions *Moderator*
- 8:45 a.m. Blue Ribbon Commission on America's Nuclear Future *John Kotek,
Executive Director,
Blue Ribbon Commission*
- Origin, membership, and purpose
 - Accomplishments to date
 - Key recommendations
- 9:15 a.m. The Council of State Governments' Midwestern Office *Representative Chuck Soderberg, Iowa
State Representative, Co-Chair,
Midwestern Legislative Conference
Energy Committee*
- Involvement in issues related to nuclear energy and waste
 - Perspectives on managing the back-end of the nuclear fuel cycle *Paul Schmidt, Wisconsin Radiological
Protection Program, Co-Chair, CSG
Midwestern Radioactive Materials
Transportation Committee*
 - Initial reactions to the BRC draft report
- 9:45 a.m. A View from Up Close: Prairie Island Nuclear Plant and its Neighbors *Laura McCarten, Regional Vice
President, Xcel Energy*
- Experiences as a host community, perspectives on long-term waste management, and initial reactions to the draft report *Victoria Winfrey, Tribal Council
President, Prairie Island Indian
Community*
- Mayor Dennis Egan, City of Red Wing*
Senator John Howe, Minnesota

10:30 a.m. Break

10:45 a.m.	<p>Perspectives from Around the Region</p> <ul style="list-style-type: none"> • Initial reactions to the draft report, as well as experiences with or concerns about on-site storage of nuclear waste and spent fuel transportation 	<p><i>David Boyd, Commissioner, Minnesota Public Utilities Commission</i></p> <p><i>Gary McCandless, Illinois Emergency Management Agency</i></p> <p><i>Christina Mills, Institute for Energy and Environmental Research</i></p> <p><i>Senator Beverly Gard, Indiana</i></p> <p><i>Brian Rude, Vice President, External and Member Relations, Dairyland Power Cooperative</i></p>
11:45 a.m.	Instructions for Afternoon Breakout Sessions	<i>Moderator</i>
12 p.m.	Lunch (on your own)	
1 p.m.	Deadline to Sign-up to Make Public Comments	
1 p.m.	<p>Interactive Breakout Sessions</p> <p>Participants will engage in small-group, facilitated discussions, each focusing on three questions:</p> <ul style="list-style-type: none"> • How do we create a meaningful role for affected units of government in selecting sites and overseeing facilities for consolidated storage or disposal? • What additional measures can we take to make sure transportation remains safe and uneventful? • What are the potential impacts on communities of very long-term storage of spent nuclear fuel, and how can we mitigate those impacts? 	
3 p.m.	Break	
3:20 p.m.	Comments from the Public (sign-up by 1 p.m.)	<i>All</i>
4:20 p.m.	Next Steps	<i>John Kotek</i>
4:25 p.m.	Meeting Wrap-Up	<i>Moderator</i>
4:30 p.m.	Meeting Adjourned	



UNITED STATES
NUCLEAR WASTE TECHNICAL REVIEW BOARD
2300 Clarendon Boulevard, Suite 1300
Arlington, VA 22201

October 31, 2011

The Honorable Lee H. Hamilton
The Honorable Brent Scowcroft
Co-Chairs
Blue Ribbon Commission on America's Nuclear Future
U.S. Department of Energy
1000 Independence Avenue, SW
Washington, DC 20585

Dear Representative Hamilton and General Scowcroft:

On behalf of the U.S. Nuclear Waste Technical Review Board, I am submitting comments to the Blue Ribbon Commission on America's Nuclear Future on the Commission's *Draft Report to the Secretary of Energy*, dated July 29, 2011.

As you know, the Board has followed closely the work of the Commission since the Commission was established in January 2010, and Board members and staff have testified on several occasions before the Commission and its subcommittees. In addition, we provided comments on June 30, 2011, on the draft reports issued by the Commission's Subcommittee on Disposal and Subcommittee on Transportation and Storage, and on July 14, 2011, on the draft report of the Commission's Subcommittee on Reactor and Fuel Cycle Technology. Those comments are available on the Board's website, www.nwtrb.gov, as well as on the BRC website. The comments in this letter are in addition to our comments on the subcommittee drafts.

The Board believes that the Commission's *Draft Report* reflects the substantial time and effort the Commission has invested in gathering information and in sorting through a diversity of views on policies that are needed to effectively manage the country's high-activity nuclear waste. The Board strongly concurs with the Commission's findings that deep geologic disposal is the most promising and accepted method currently available for safely isolating spent nuclear fuel (SNF) and high-level radioactive waste (HLW) for very long periods and that a permanent repository will be needed for any fuel cycle option that might be implemented in the reasonably foreseeable future. We also believe that as decisions are made on how to accomplish deep geologic disposal, it is very important that ongoing technical work should continue.

The Board's statutory mission is to evaluate the technical and scientific validity of Department of Energy (DOE) activities related to managing and disposing of SNF and HLW and to report Board findings, conclusions, and recommendations to Congress and the Secretary of

Energy. In the following paragraphs, the Board comments on technical topics discussed in the Commission's *Draft Report*.

Developing Generic Siting Criteria – The Board concurs with the Commission that development of generic repository siting criteria should proceed without delay. The Office of Used Nuclear Fuel Disposition Research and Development, which reports to the Deputy Assistant Secretary for Fuel Cycle Technologies within DOE's Office of Nuclear Energy, is commencing research on generic siting criteria. As a starting point for this work, it is very important that DOE take into account its past efforts related to developing siting criteria along with similar work that has been undertaken by nuclear waste repository programs in other countries. The Board notes that from a technical perspective, generic studies do not replace the need to focus on specific geologies and potentially available sites in the United States that may meet the criteria. The Board suggests that the Commission consider encouraging DOE's ongoing generic siting work in the Commission's final report.

Generic Research on Geologic Media – The Board concurs with the Commission's finding that experience in the United States and other countries has shown that from a technical perspective suitable sites for deep geologic repositories for the disposal of SNF and HLW can be identified and developed. This experience can be applied to geologies in the United States to identify potentially viable locations for detailed site characterization. DOE currently is planning research that will provide generic information on geologic media.

Methods of Deep Geologic Disposal, including Deep Borehole Disposal – The Commission's *Draft Report* discusses disposal in mined geologic repositories and in deep boreholes. In the Board's report on *Technical Advancements and Issues Associated with the Permanent Disposal of High-Activity Wastes: Lessons Learned from Yucca Mountain* issued earlier this year, the Board recommends that consideration be given to using different methods of geologic disposal for different kinds of wastes depending on their potential for reuse. While deep boreholes are suggested in the Commission's *Draft Report* as a substitute for mined geologic disposal, the Board recommends additional RD&D on deep borehole disposal to help resolve uncertainties about this approach and to allow for a more conclusive evaluation of its feasibility. Deep boreholes may play a role in disposal of small quantities of long-lived separated actinide wastes, but further study is needed on the effects of implementing this approach on the overall nuclear waste management system.

Radiation Source Term – The Commission's *Draft Report* discusses approaches to determining compliance with repository requirements. The Board believes that determining the radiation source term *realistically*, particularly with respect to the processes involved in mobilizing the waste, is critical to obtaining a fundamental understanding of the disposition of dose-contributing radionuclides. Such analyses can potentially help support a repository compliance case and can provide a much more credible understanding of how natural and engineered barriers would work together in a repository to contain and delay the release of radionuclides from the waste into the accessible environment.

Fuel-Degradation Mechanisms Related to Extended Dry Storage of SNF – The Board concurs strongly with the Commission that research is needed on fuel degradation mechanisms

and other factors that may affect the ability to store SNF for long periods. As discussed in the Board's report on *Extended Dry Storage and Transportation of Used Fuel*, issued in late 2010, the Board recommends that the ability to handle and transport such waste after extended storage also should be studied. DOE recently issued a draft "Gap Analysis" report on its research plans in this area and is collaborating closely with industry and with other government agencies, including the Nuclear Regulatory Commission and the Board, to develop its research program. The Board expects that this collaboration will result in a better understanding of the implications of extended dry storage.

Management of Federally Owned SNF and HLW – As noted in the Commission's *Draft Report*, DOE manages its own radioactive wastes from defense and research activities. Most of this waste is stored at three federal facilities: Hanford in Washington, Idaho National Laboratory (INL) in Idaho, and the Savannah River Site in South Carolina. DOE's Office of Environmental Management also participates with the state of New York in managing radioactive wastes from the country's only commercial reprocessing facility, which was located in West Valley, New York, and ceased operation in 1972. In addition, a joint DOE-Navy program manages spent naval reactor fuel at INL. The discussion of the wastes stored at these facilities in the Commission's *Draft Report* correctly reflects the importance of considering how these wastes should be managed and disposed of when evaluating options for permanent disposal of high-activity waste. The Board believes that a full discussion of the issues related to the need to permanently dispose of these wastes should be included in the Commission's final report.

The Board has visited the SNF and HLW management facilities at all four of these locations over the past two years and is preparing a report characterizing the amounts and types of wastes stored at each of them along with technical issues related to the management of the waste. The report will provide technical information for decision-makers as they discuss the Commission's recommendations on managing these wastes.

Effects of Various Fuel Cycle Technologies on SNF and HLW Management – The Board has consistently urged DOE to adopt a "systems" approach to radioactive waste management and strongly supports the Commission's finding that studies of alternative fuel-cycle technologies should account for linkages among all elements of the fuel cycle, including reactor technologies, fuel processing, transportation, storage, and disposal of SNF and HLW.

Transport of High Burnup Fuel – The Commission's *Draft Report* refers to the potential need to update regulations to allow for efficient transport of high burnup SNF. As mentioned above, the Board believes that research into technical factors associated with transporting such fuels also should be undertaken. As part of this exercise, the Board also advocates developing a technical basis for taking full credit for the loss of fuel reactivity as a result of burnup. The Board believes such work should have high priority because taking burnup credit potentially offers significant economies in developing a transportation system and cost savings at other stages of a spent fuel management program. The Board suggests that discussion of these issues be included in the Commission's final report.

International Cooperation – Over the last 20 years, the Board has engaged extensively with its counterparts in other countries that have nuclear waste programs and with the senior technical

personnel and managers of those programs to gain technical insights and perspectives that are useful in reviewing DOE activities. Information and analysis resulting from those interactions are included in two Board reports, *Survey of National Programs for Managing High-Level Radioactive Waste and Spent Nuclear Fuel* (October 2009) and *Experience Gained From Programs to Manage High-Level Radioactive Waste and Spent Nuclear Fuel in the United States and Other Countries* (April 2011). The Board has found its interactions with programs in other countries to be extremely valuable and joins the Commission in urging that U.S. program managers take full advantage of the experiences gained.

Retaining Technical Capability and Preservation of Technical Experience – The Board believes that it is imperative that information and data generated previously by the Office of Civilian Radioactive Waste Management be preserved in a reasonably accessible (electronic) form and recommends that the final Commission report address this important issue. Much of this information has generic attributes relevant to any geologic media. If the information and data are not retained, attempting to recover them after decisions are made on future waste management policies will be time-consuming and expensive. DOE's Office of Legacy Management has developed a plan for transferring and preserving this information. The Board is reviewing DOE's legacy management activities as part of its ongoing technical evaluation.

Many of these issues were discussed at a public meeting held by the Board in Salt Lake City, Utah, on September 13 and 14, which included a panel on the Commission's *Draft Report*. We were very pleased that John Kotek, the Commission's Executive Director, was able to participate in that panel. We would like to thank him for providing an excellent and very useful overview of the Commission's *Draft Report*. The panel also included Mr. Ward Sproat, former director of DOE's Office of Civilian Radioactive Waste Management, who presented his views on the *Draft Report*. The presentation by Mr. Sproat and the transcript from the meeting are available on the Board's website.

We appreciate this opportunity to provide comments on the Commission's *Draft Report*. We look forward to continuing our interactions and would be pleased to provide any additional technical information you might find useful as you prepare your final report.

Sincerely,

{Signed by}

B. John Garrick
Chairman

Executive Committee Officers:

David Wright, Chairman
Vice Chairman, SC Public Service Commission
Renze Hoeksema, Vice Chairman
Director of Federal Affairs, DTE Energy
David Boyd, Membership
Commissioner, MN Public Utilities Commission
Robert Capstick, Finance
Director of Government Affairs, Yankee Atomic/Connecticut Yankee
Greg White, Communications
Commissioner, MI Public Service Commission



October 31, 2011

The Honorable Lee Hamilton
Lieutenant General Brent Scowcroft, USAF (Ret.)
Co-Chairmen
Blue Ribbon Commission on America's Nuclear Future
1000 Independence Avenue, S.W.
Washington, D.C. 20585

Re: Comments on the Blue Ribbon Commission's July 29, 2011 Draft Report.

Dear Co-Chairmen Hamilton and Scowcroft:

The Nuclear Waste Strategy Coalition (NWSC), an ad hoc group of state utility regulators, state attorneys general, electric nuclear utilities and associate members representing 45 organizations in 32 states applauds the Blue Ribbon Commission (BRC) for its' July 29, 2011 Draft Report to overhaul the nation's failed nuclear waste management program as it addresses many of the items that the NWSC has advocated for and we are pleased to offer our comments in support of those.

By way of background, the NWSC was formed in 1993 out of frustration at the lack of progress the Department of Energy (DOE) had made in developing a permanent repository for spent nuclear fuel (SNF) and high-level radioactive waste (HLRW), as well as Congress's failure to sufficiently fund the nuclear waste disposal program on an annual basis.

As for the BRC Draft Report, we remain deeply disappointed the BRC has chosen not to weigh in on whether the Yucca Mountain License Application process should be completed to determine, based on the science, whether the site is suitable as a repository for the nation's SNF and HLRW. \$15 billion has been spent on the Yucca Mountain program. Ratepayers have fulfilled their side of the bargain paying over \$25 billion into the Nuclear Waste Fund. They deserve to know if Yucca Mountain is a suitable repository site. Simply to end the program with no scientific justification, especially when there is no plan "B", makes no sense. As the Commission points out in the Draft Report, choosing a repository site other than Yucca Mountain will require an amendment to the Nuclear Waste Policy Act, a process that will take much time to accomplish. Until the statute is amended it is the law of the land and needs to be adhered to. We respectfully ask this distinguished Commission to provide its' perspective on the completion of the Yucca Mountain License Application process in your Final Report.

The NWSC supports the Commission's draft recommendation for a "consent-based" approach to siting nuclear waste management and disposal facilities. We agree there is much to learn from the Waste Isolation Pilot Project, which has now surpassed 10,000 safe shipments of high-level waste to the Carlsbad, New Mexico facility. We note, and remind the Committee, that a willing host is also present in Nye County, Nevada and the surrounding communities near Yucca Mountain.

The Commission's recommendation for "a new single-purpose organization to develop and implement a focused, integrated program for the transportation, storage, and disposal of nuclear waste" is critical to the successful reform of the program - and is consistent with past NWSC recommendations. The new organization must be sufficiently insulated from changes in the political landscape and, that regular, sufficient funding from the Nuclear Waste Fund is assured and the management and disposal program can move forward with certainty. The success of the Commission's other key recommendations are linked inextricably to the strength of this new organization.

The NWSC strongly supports Commission draft recommendations 4 and 5: "prompt efforts to develop... one or more deep geologic facilities for the disposal of spent nuclear fuel and high-level waste"; and "prompt efforts to develop...one or more consolidated interim storage facilities..." Again, billions of dollars and decades of research have been invested at Yucca Mountain and the License Application process should continue to its' conclusion.

Unfortunately, with an operating repository many decades away, it makes sense to establish consolidated interim storage facilities at one or more sites, beginning with spent fuel stored at the nine decommissioned reactor sites as the Commission recommends. Consolidated interim storage will allow the U.S. Department of Energy to begin fulfilling its' obligation to remove spent nuclear fuel from commercial spent fuel sites around the country, reduce the number of sites storing spent nuclear fuel and, as the Commission notes, allow for research and development into the extended storage of spent fuel and closing the back end of the fuel cycle. We agree with the Commission and join others who have cautioned that consolidated interim storage must be coupled with a credible repository siting process, so that interim storage does not become de facto permanent storage.

The NWSC supports also the Commission's Draft Report section 12 "Near-Term Actions" that could be undertaken right away "using existing authority in the NWSA", especially in the areas of storage and transportation. Short of choosing a site, DOE could begin the process of implementing consolidated interim storage and make progress toward the transportation of spent nuclear fuel. This should include renewed funding for Section 180 C of the NWSA which pays for emergency planning training for local and tribal officials. An inventory of transportation infrastructure needs near nuclear power plants could also be performed in preparation for transporting SNF and HLRW.

We look forward to the Commission's Final Report in January 2012. We appreciate the effort of the Commissioners and BRC staff to engage stakeholders so extensively over the past year and a half and for the work you have accomplished to date.

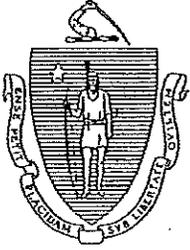
Once again, thank you for the opportunity to comment on the Draft Report.

Respectfully yours,



David Wright
Vice Chair, South Carolina Public Service Commission, and
Chairman, Nuclear Waste Strategy Coalition

C: Mr. Timothy A. Frazier, Designated Federal Officer, Blue Ribbon Commission on America's Nuclear Future.



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October 31, 2011

The Honorable Lee Hamilton
The Honorable Brent Scowcroft
Co-Chairmen
Blue Ribbon Commission on America's Nuclear Future
U.S. Department of Energy
1000 Independence Ave., SW
Washington, DC 20585

Re: Blue Ribbon Commission July 29, 2011 Draft Report

Dear Chairmen:

Lee Hamilton & Brent Scowcroft

I am writing to comment on the July 29, 2011 Draft Report to the Secretary of Energy by the Blue Ribbon Commission on America's Nuclear Future ("Commission"). I appreciate the Commission's work in preparing a comprehensive report recommending new strategies for managing the back end of the nuclear fuel cycle.

The continuing failure of the Department of Energy to perform its contractual obligations under the Nuclear Waste Policy Act to begin removing nuclear waste from commercial power plants since 1998 has had direct impacts on the citizens and ratepayers of the Commonwealth of Massachusetts that urgently need to be addressed. Massachusetts ratepayers have already contributed to the federal government's Nuclear Waste Fund, which currently stands at \$25 billion, and which should have been used to begin the process of nuclear waste disposal. And the American taxpayer will eventually foot the bill for the mounting damage claims for the costs of on-site storage that are awarded as a result of the Department of Energy's breach of its contractual obligations and paid out of the Department of the Treasury's Judgment Fund.

I strongly support the Commission's recommendation for prompt efforts to develop one or more consolidated interim storage facilities. Establishing the ability to transfer spent fuel from operating and decommissioned reactor sites to consolidated interim storage facilities is vital to address our safety and security concerns, as well as to relieve our ratepayers and taxpayers from the continuing costs of these local sites.

I also support the Commission's recommendation that "spent fuel currently being stored at shutdown reactor sites be 'first in line' for transfer to a consolidated interim storage facility." The Draft Report notes the significant savings in operation and maintenance costs that could be achieved if priority is given to removal of spent nuclear fuel from shutdown reactor sites, rather than taking fuel according to an "oldest fuel first" basis. Massachusetts ratepayers are paying approximately \$10 million per year for onsite storage at decommissioned plant sites in New England. In addition to these direct costs are lost opportunity costs, since these sites, and surrounding areas, cannot be utilized for development or other economically productive uses by the host cities and towns. I am concerned that, absent prompt development of consolidated interim storage and the transportation planning necessary to support it, costs to ratepayers will increase due to issues arising from extended storage at the current sites.

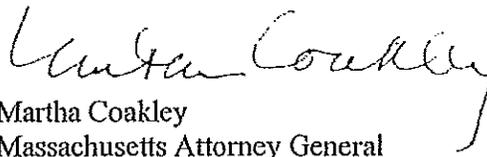
I have advocated for requiring nuclear power plant operators to move the growing amount of spent fuel currently stored in wet storage pools to safer dry cask storage. I am concerned, however, that the Nuclear Regulatory Commission's 2010 Waste Confidence Decision, determining confidence that spent nuclear fuel can be safely stored at reactor sites for a 120-year period, combined with the NRC's current consideration of timeframes of up to 300 years of extended storage after a reactor's licensed life to be appropriate, fosters a lack of urgency for removing this material from shutdown and operating reactor sites. Such extended on-site storage is not acceptable. The Commission should recommend developing sufficient consolidated interim storage capacity to accept the growing amount of waste stored at operating nuclear plants as well.

As a part of an integrated and comprehensive solution to the national nuclear waste storage problem, the Department of Energy under its existing authority and utilizing the Nuclear Waste Fund should begin in the near term to develop and implement the transportation related programs necessary to remove spent nuclear fuel to consolidated interim storage. I am encouraged that the Commission has highlighted the need for the Department of Energy to "complete the development of procedures and regulations for providing technical assistance and funds (pursuant to section 180(c) of the NWPA) for training local and tribal officials in areas traversed by spent fuel shipments, in preparation for movement of spent fuel from shutdown reactor sites to consolidated storage." Such assistance and funding will provide some assurance that there will be a process for eventually removing the spent nuclear fuel.

But this planning should also include full surveys of the infrastructure needed to transport spent fuel from the current sites. At the October 12, 2011 public meeting on the Draft Report in Boston, Massachusetts, the Federal Railroad Administration presented a physical and operational survey of shortline railroads that would be used to transport spent fuel, but this was limited to two nuclear plant sites due to budgetary constraints. This limited survey indicated that significant infrastructure improvements need to be made in order to prepare for eventual removal. These improvements may take years. The Commission should recommend completing these surveys for the remainder of the operating and decommissioned plant sites, so that infrastructure improvements can be made concurrently with the development of the consolidated interim storage facilities.

As I have indicated previously in other forums, nuclear power can and should continue to play an important part of our overall energy portfolio. However, the federal government must fulfill its obligations and avoid further delay in removing spent nuclear fuel. Thank you for the opportunity to present my comments and to state my support for specific elements of your report. The ratepayers and taxpayers of the Commonwealth and indeed every state expect prompt action to address these concerns.

Cordially,



Martha Coakley
Massachusetts Attorney General

cc: Timothy A. Frazier, Designated Federal Officer

712 North Carolina Avenue, SE
Washington, DC 20003



Phone: 202.546.4258
Email: dpc@govstrat.com

October 31, 2011

Mr. Timothy A. Frazier
Designated Federal Officer, Blue Ribbon
Commission on America's Nuclear Future
U.S. Department of Energy
1000 Independence Avenue, S.W.
Washington, DC 20585

Dear Mr. Frazier:

On behalf of the members and participants of the Decommissioning Plant Coalition (DPC)¹, I take this opportunity to provide comments on the Blue Ribbon Commission on America's Nuclear Future (BRC) "Draft Report to the Secretary of Energy," dated July 29, 2011 (Draft Report). As a preliminary matter, we want to thank the Members of the Commission for the thoroughness of their effort, evidenced by the quality of the draft report, and for the attention they have paid to the unique issues confronting those civilian nuclear reactors that have permanently shutdown and undergone varying degrees of decommissioning.

As indicated in my record statement of October 20, the DPC heartily endorses the seven strategic elements of the Draft Report, in particular the recommendations regarding the establishment of one or more centralized interim storage (CIS) facilities with the agreement of host communities and the "first in line" priority assigned to the movement of used fuel from our facilities. We note that the Secretary of Energy already has the authority to make such a designation or declaration under

¹ The DPC was formed in 2001 to ensure a focus by policymakers on issues unique to single-unit commercial nuclear power plants undergoing decommissioning and decontamination. Members and participants have included the owners of the following reactors: Big Rock Point (MI), Haddam Neck (CT), LaCrosse (WI), Maine Yankee (ME), Rancho Seco (CA) and Yankee Rowe (MA).

the Nuclear Waste Policy Act and the existing contracts and believe that he should do so immediately.

As noted in the Draft Report, the development of CIS facilities will allow the government to begin meeting its obligation to contract holders, the Nation's ratepayers and other stakeholders by providing for the orderly transfer of used fuel from reactor sites to such facility(ies) independent of the siting, construction and operation of a permanent repository. Such an arrangement provides a degree of flexibility in the management system that has been lacking to date. Other points made by the Commission during its discussion of the role of CIS in the waste management system well lays out the foundation for these central recommendations and we concur in them.

Further, and as noted in my October 20 statement, the challenges resulting from the continued use of these permanently shutdown reactor sites solely for the storage of used fuel have grown since the Storage and Transportation Subcommittee held its meeting in Wiscasset, Maine in August of 2010. For example, the Nuclear Regulatory Commission (NRC) recently published for comment a draft regulatory guide setting forth revised performance characteristics for the physical security programs at all Independent Spent Fuel Storage Installation (ISFSI) facilities. If implemented as proposed, these new requirements will significantly increase the cost of continued on-site storage at permanently shutdown reactor sites and represents one in an inevitable series of regulatory initiatives that will occur if such storage is allowed to extend for an indefinite period.² We note that the NRC is concurrently developing a list of issues needing further study to support onsite storage for up to 300 years.

Three issues raised by the draft report merit further attention and brief discussion.

First, we do not believe that standardization of dry cask storage systems will have immediate benefits to the waste management system and we therefore believe that DOE or the successor waste management entity should be explicitly required to accept as standard fuel all material packaged in NRC-licensed dual purpose storage and transport systems. As the Commission has recognized, there are hundreds of dry cask canister systems currently deployed at both permanently shutdown and operating plant sites throughout the United States. Virtually all of these systems have been licensed by the NRC for both storage and transport. We do not believe that the challenges of licensing a CIS capable of accepting the variety of technologies currently in use are such that standardization should be a short-term priority of the

² We view the discussion about the need for "hardened" on-site storage (HOSS) in a similar vein. While we disagree with those who expound the need for it, as licensees we would of course comply with a regulatory requirement for same, but believe that such a requirement is yet another argument in favor of CIS. We cite with approval the discussion of this topic in the Draft Report and the conclusion that "any hardened system could be implemented more cost effectively at a consolidated storage facility than at existing sites due to economies of scale."

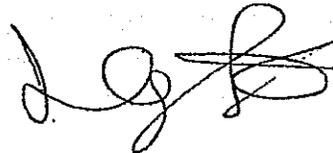
waste management system. We further note that as a practical matter the spent fuel and GTCC waste in canister dry cask storage systems at shut down reactor sites cannot be economically repackaged because the facilities currently lack a wet pool or other facility necessary to accomplish such a transfer.

Second, as noted in our August 10, 2010 record comments from the Storage and Transportation Committee meeting in Wiscasset, we believe that the Commission should make clear that planning for both CIS and, eventually, a repository facility, should include not only used fuel, but the greater-than-Class-C waste (GTCC) that is present (and stored in NRC licensed dual purpose canister systems) at many of our sites. While the Department continues to (so far unsuccessfully) debate during litigation its liability for failure to remove GTCC, NRC regulations require geologic disposal for GTCC material. While those regulations also allow DOE to propose an alternative that provides the same level of protection, DOE has never proposed an alternative and a resolution of this issue stands as an obstacle to productive discussions over its ultimate removal from shutdown sites.

Third, we would hope that recent meetings have given the Commission a greater sense of the variety of near-term activities that need to be undertaken by the Department of Energy (and other agencies of the federal government), especially those that can be taken under existing authorities and with currently available funds. As detailed in my record statement of October 20, such activities include, but are not limited to, establishing a dialogue with communities that have expressed or will express interest in hosting a CIS facility, conducting detailed on site and local surveys of facilities and infrastructure at and around permanently shut-down facilities, and developing budgets for the next and following fiscal years in anticipation of the adoption of the widely supported CIS recommendation.

Again, we express appreciation to the Commission and its staff for the excellent work that has gone into the Draft Report and for the willingness to engage with us and other stakeholders. I will be glad to answer any questions on these comments.

Sincerely,



Wayne Norton

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October 31, 2011

Mr. Timothy A. Frazier
Designated Federal Officer, Blue Ribbon
Commission on America's Nuclear Future
U.S. Department of Energy
1000 Independence Avenue, S.W.
Washington, DC 20585

Dear Mr. Frazier:

I am providing for your information comments of the Decommissioning Plant Coalition to the Nuclear Regulatory Commission on its Draft Regulatory Guide DG 5033, Security Performance (Adversary) Characteristics for Physical Security Programs for 10 CFR Part 72 Licensees. This draft guide would be applicable to all Interim Spent Fuel Storage Installations (ISFSIs) whether licensed under 10 CRR Part 50 or 10 CFR Part 72.

While our specific comments will be useful and inform your work, they are generally provided to demonstrate that this is one in an inevitable series of regulatory initiatives that will occur should onsite storage extend for an indefinite period at permanently shut down facilities. As such, it emphasizes both the inherent weaknesses of relying on at-site storage for such time periods as well as the strength of your draft recommendation to promptly establish one or more Consolidated Interim Storage facilities and to afford priority for the spent fuel and Greater-Than-Class C material at our plants as the first to be sent to such a facility.

A few of the factors that support these conclusions are:

- The licensees, the regulator, and the federal government never planned for continued on-site storage to extend beyond decommissioning activities.

- Planning for such storage was never perceived as needed by host communities, local, state, and tribal governments, regulators, ratepayers, and taxpayers.
- As storage periods are stretched out without an integrated regulatory or operational destination, the number of issues raised to be studied will proliferate, raising costs and duplicating efforts regardless of the relative merit of the issues raised. The security issue is just the first of what will prove to be many over the years. Already, the NRC is developing a list of issues needing study to support on-site storage for up to 300 years.
- Especially for security reasons, it makes overwhelming sense to consolidate this fuel in limited locations that can bring unified security management, as well as safety and licensing focus, to the storage mission. This will be true of attention to additional matters that may arise during the period of Consolidated Interim Storage.
- As time goes on, the number of permanently shut-down sites will increase. It makes little sense to establish additional and scattered storage locations that will complicate and unnecessarily duplicate licensing, inspection, and security missions and exact unnecessarily repetitive costs to communities, ratepayers, and taxpayer.

We continue to support the work of the Blue Ribbon Commission. Wayne Norton, our Chairman, is available to discuss this matter and these comments with you, and we appreciate the hard work you and your colleagues have devoted to the Commission's task.

Sincerely,



Michael S. Callahan, on behalf of the Decommissioning Plant Coalition
Governmental Strategies Inc
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