

Responsible Nuclear Waste Disposal: An Unmet Obligation

**A White Paper
Sponsored by:**

**The New England Council, Inc.
Yankee Atomic Electric Company
Connecticut Yankee Atomic Power Company**

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Introduction: DOE's Unmet Obligation

“New England once led the nation in the use of nuclear power. Today, it leads in another way: Yesterday's nuclear power plants are becoming tomorrow's nuclear waste dumps.. Nowhere else in the country can be found such a high concentration of nuclear waste stored independent of operating reactors”.

New England's Nuclear Legacy, *The Day*, New London, Connecticut,
November 27, 2000

The federal government has always had the responsibility for the safe storage of nuclear waste from the U.S. military, research reactors, including some from foreign reactors, and commercial power plants. For more than 50 years, the U.S. Department of Energy (DOE) has accepted nuclear waste from all these facilities — except U.S. commercial power plants.

After the passage of the Nuclear Waste Policy Act of 1982, consumers of electricity from nuclear power plants were required to pay an additional charge in their electric bills. In return, DOE signed a contract with nuclear plant owners to begin removing used fuel and high-level nuclear waste (primarily the steel components that supported the fuel during plant operation) starting in January 1998.

After almost twenty years and the collection of more than \$17 billion — ***\$1.4 billion coming from New England consumers*** — DOE has defaulted on its contract and has not yet begun to move used fuel and high-level waste to a federal site. Instead, DOE now says that a final disposal repository will not be ready until at least 2010. Moreover, DOE has made no provisions for centralized interim storage, a cost-effective environmentally safe alternative.

DOE's failure to act has created formidable problems, especially for the commercial nuclear power plants that are permanently shut down — four of which are in New England. The companies owning these plants will spend hundreds of millions of ratepayer dollars to build and operate special, independent, long-term facilities to store the used fuel that the government has failed to remove.

This updated white paper, sponsored by the New England Council, Yankee Atomic Electric Company, and Connecticut Yankee Atomic Power Company, focuses on the economic impact and other consequences to the New England region from DOE's failure to remove used fuel from shutdown nuclear plants. Nationally, consumers are continuing to pay over \$700 million a year for a program that is years behind schedule. In the U.S., used nuclear fuel will continue to be stored in up to 35 states at 78 different locations. ***In New England, there could be seven waste storage sites in five states for the next half century and beyond.***

While focusing on New England, the facts and principles presented herein are applicable to all regions of the United States. Throughout the paper — which is based entirely on information and data that is publicly available — comments from government entities, labor and civic organizations, and leading newspapers are presented to support the positions set forth.

White Paper Sponsors

The New England Council, Inc. The New England Council is the country's oldest regional business organization. The Council is an alliance of businesses, academic and health institutions, and public and private organizations formed to promote economic growth and a high quality of life in the New England region.



The Council is dedicated to identifying and supporting federal public policies and articulating the voice of its membership regionally and nationally on important issues facing New England. The New England Council is also committed to working with public and private sector leaders across the region and in Washington through educational programs and forums for information exchange.

In a forward-looking action, the Council's Board of Directors unanimously voted a Resolution in 1995 that reaffirmed DOE's responsibility for removing used fuel from reactor sites on a priority basis to eliminate unnecessary costs to New England. Today, as Congress continues to debate this issue, the Council's Resolution still stands. The Council continues to support provisions that require DOE to maintain its commitment to accept and transport used fuel from nuclear plant sites and establish an interim storage facility.

Yankee Atomic Electric Company (Yankee Rowe) and Connecticut Yankee Atomic Power Company (Connecticut Yankee). Yankee Rowe and Connecticut Yankee were the first (there are now four) permanently shutdown nuclear plants in New England.

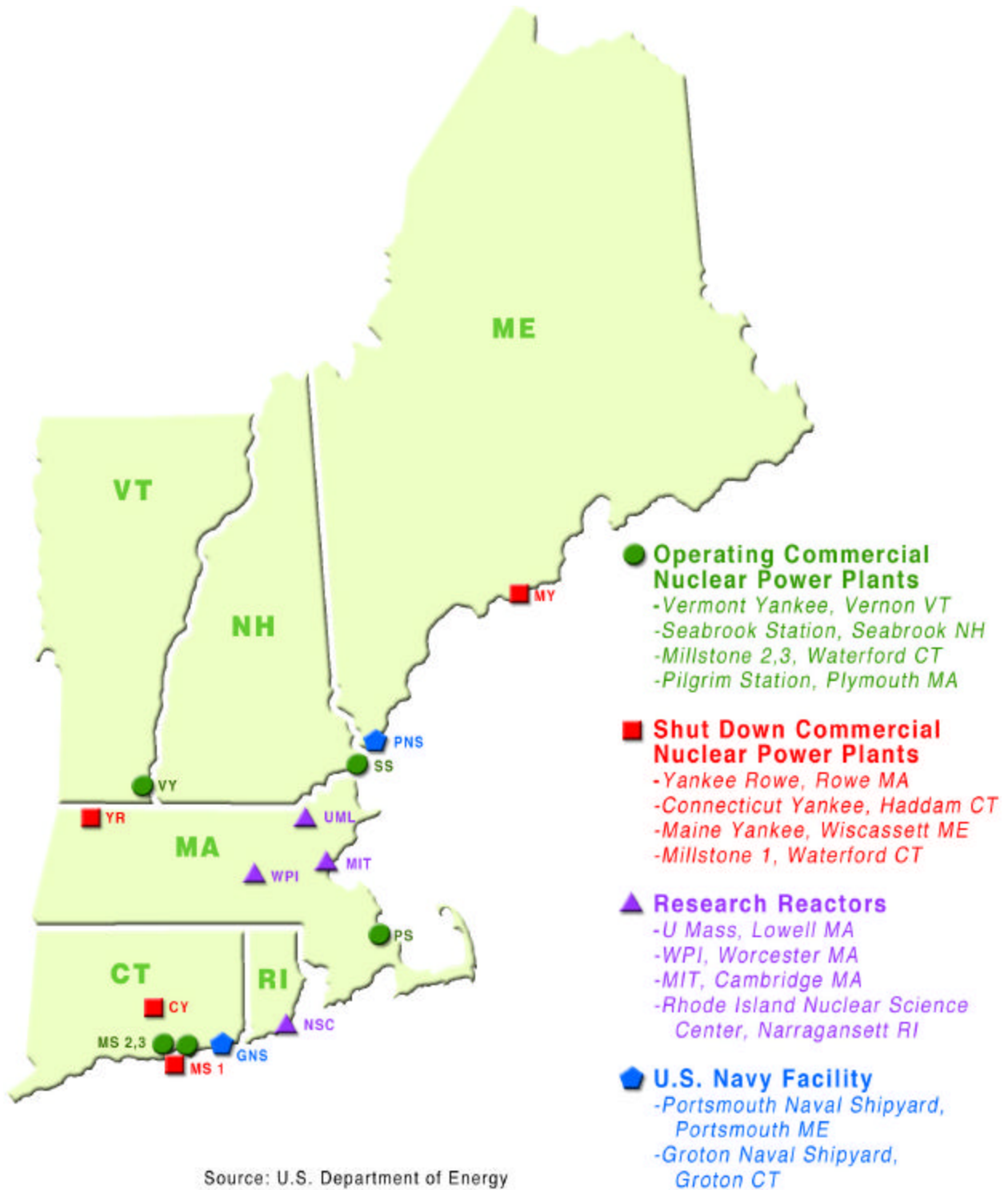


Yankee Rowe was the third nuclear power plant built in the U.S. and the first built in New England. Located in the Western Massachusetts community of Rowe, the plant was permanently shutdown in 1992, after more than 31 years of producing electricity. Connecticut Yankee, a larger plant located in the town of Haddam, Connecticut was permanently shutdown in 1996 after 28 years of operation.

Both Yankee Atomic and Connecticut Yankee made commitments to safely decommission the plants and prepare the sites for future use. However, unless DOE action is taken, Yankee Rowe's and Connecticut Yankee's used fuel will be stranded on-site for decades at additional cost to electric ratepayers — which would prevent completion of their decommissioning and their potential reuse for other purposes. This situation can be avoided if DOE would use its existing authority to establish an interim storage policy and remove used fuel on a priority basis from permanently shutdown plants.



Used Fuel & High Level Waste: Storage Sites in New England



Used Nuclear Fuel Management: A Federal Responsibility

“To force DOE to meet its obligations ...[10] utilities have sued the U.S. Government in the U.S. Court of Federal Claims...five utilities have sued DOE in the U.S. Court of Appeals ...36 states and state agencies have requested U.S. Supreme Court action...[and] utility regulators from 24 states asked that \$6.5 billion in on-going Nuclear Waste Fund payments be deferred until DOE begins accepting used fuel.”

Nuclear Energy Insight, September 1998

The *Atomic Energy Act of 1954* assigned the responsibility for used fuel management to the federal government. Initially, the volume was expected to be low because the used fuel was to be recycled. However, President Carter banned used fuel reprocessing in 1978, markedly changing the scope of the responsibility.

Congress responded by passing the *Nuclear Waste Policy Act of 1982*. The Act required DOE to begin safely and permanently disposing of used fuel and other high-level radioactive waste from all commercial plants no later than January 31, 1998. It also set up the Nuclear Waste Fund, the mechanism by which ratepayers, through their electric bills, would fund used fuel's safe transportation and disposal. DOE executed contracts with nuclear plant owners specifying its statutory obligations in return for payment of fees.

With the passage of the *Nuclear Waste Policy Amendments Act of 1987*, Congress directed DOE to study the Yucca Mountain site in Nevada and authorized an above-ground, temporary storage facility, which provided the means for DOE to implement an interim storage policy and program without the need for further legislation or debate.

With the study of Yucca Mountain behind schedule and with no decision made on an interim storage facility, many states and plant owners turned to the courts. In 1997, Yankee Atomic filed a petition with the U.S. Court of Appeals seeking to force DOE to remove the used fuel. The DOE said it lacked authority to store used fuel except in a permanent repository that had not been completed. The Court rejected that argument. But the D.C. Circuit declined to order DOE to accept and remove used fuel, instead remanding plant owners to their contract remedies.

Yankee Atomic, Connecticut Yankee, and Maine Yankee, filed suits in the U.S. Court of Federal Claims for \$288 million in damages (to be incurred through 2010) emanating from the financial burden imposed by DOE's failure to meet its contractual obligation. The Federal Claims Court ruled in November 1998 that DOE had breached its contract and is liable for breach of contract damages. In August 2000, the U.S. Court of Appeals affirmed the Court of Claims decision and litigation is pending to determine the damages owed by the government as a result of its default.

In conclusion ...The U.S. courts have ruled that DOE is liable for breach of contract damages to all nuclear utilities. While a potential financial victory for New England's ratepayers, a solution to the used fuel storage problem is still needed. Prolonged litigation and significant federal liability can be avoided if DOE would simply meet its obligation and start removing fuel now.

Yucca Mountain: \$6 Billion Spent to Determine Suitability

There is “a worldwide scientific consensus that deep geological disposal, the approach being followed by the United States, is the best option for disposing of high-level radioactive waste.”

National Research Council, *Rethinking High-Level Radioactive Waste Disposal, A Position Statement of the Board on Radioactive Waste Management*, 1990

“ ... at the present time, there is no option to Yucca Mountain for radioactive-waste disposal in the U.S., other than the default option of leaving these materials where they presently are....[which] poses greater risks, and a greater range of risks to society, than does Yucca Mountain”.

U.S. Geological Survey news release for "Yucca Mountain As a Radioactive Repository," *USGS Circular 1184*, August 1999

The search for an underground repository is focused on Yucca Mountain, Nevada, a remote location on unpopulated, government-owned land — adjacent to the Nevada Test Site where more than 900 nuclear weapons were test detonated. It offers the advantages of location, climate and geology required to protect the public and the environment for thousands of years.

DOE proposes to construct, operate, monitor and eventually close a geologic repository at Yucca Mountain. Used fuel and high-level radioactive waste would be disposed of in the repository using the natural geologic features of the mountain and engineered (man-made) barriers to ensure long-term isolation. Over the last 15 years, studies performed by some 2,000 scientists and engineers indicate that the Yucca Mountain site's natural and man-made barriers can protect the public and the environment.

A draft Environmental Impact Statement (EIS) issued by DOE in August 1999 did not identify any potential environmental impacts that would be a basis for not building and operating a repository at Yucca Mountain. However, the research is ongoing with the Final EIS scheduled for completion in 2001. At that time, a decision will be made by the Secretary of Energy on whether to recommend the site to the President for development as a repository. If the President considers Yucca Mountain a suitable site, it will be recommended to Congress. If the State of Nevada disapproves of the recommendation, the site will be disapproved. However, the Nuclear Waste Policy Act provides Congress the authority to pass a joint resolution for repository siting approval within the first 90 days of continuous congressional session after receiving Nevada's notice of disapproval. The President would then have to sign this joint resolution into law to grant site approval.

In conclusion ...The DOE repository program needs to be vigorously pursued. “All interim milestones must be met in order to begin licensed operation no later than 2010.” (A position adopted by the National Association of Regulatory Utility Commissioners in November 2000, *Regarding Principles for Disposal of High-Level Nuclear Waste*).

Consumer Cost: \$700M/year for DOE's Unmet Obligation

“The Nation’s electricity consumers deserve to see progress in a waste disposal program in which they are already hugely invested.”

John Strand, Chairman, Michigan Public Service Commission and National Association of Regulatory Utility Commissioners Subcommittee on Nuclear Issues – Waste Disposal, Testimony before U.S. House of Representatives, Subcommittee on Energy & Power, February 10, 1999

The Nuclear Waste Fund (NWF) was established in 1982 to collect one-tenth of one cent for each kilowatt-hour of electricity produced by nuclear plants. The money is to fund DOE's obligation to safely transport, cost-effectively store and permanently dispose of used fuel from nuclear electricity plants in a timely manner.

Consumers and nuclear plant owners have lived up to their part of the agreement. The federal government has not. Electricity consumers have paid over \$17 billion under the *Nuclear Waste Policy Act*. In fact, over \$700 million (\$80,000/hour) is being collected nationally each year from U.S. ratepayers. Congress, however, continues to divert most of this money to achieve deficit reduction instead of its legislatively mandated purpose of nuclear waste disposal.

As a result, plant owners and ratepayers are being forced to deal with the economic fall-out from this unmet obligation and continued uncertainty. This is a particular concern in New England which already has some of the highest electric rates in the country.

Status of Used Fuel Storage in New England

State	Plant and Location	Assemblies Stored On Site Thru 12/00	Consumer Cost Thru 9/00 (millions of \$)**
CT	Millstone 1*, 2 & 3 (Waterford) Connecticut Yankee* (Haddam)	4,321 1,024	548.8
ME	Maine Yankee* (Wiscasset)	1,434	157.5
MA	Pilgrim (Plymouth) Yankee* (Rowe)	2,134 533	446.8
NH	Seabrook (Seabrook)	540	81.4
RI	None	0	9.9
VT	Vermont Yankee (Vernon)	2,439	206.1
TOTALS		12,425	1,450.5

* Permanently shutdown

**Payments plus interest

In conclusion ... New England consumers have paid over \$1.4 billion for nuclear waste disposal — an average of \$700 per customer. And, will continue to pay more than \$25 million annually into the Nuclear Waste Fund as well as additional storage costs until DOE removes the used fuel from all nine commercial nuclear plants in the region.

Continued Used Fuel On-Site Storage: Dual-Purpose Method

“At present, [used nuclear] fuel ... is stored at 78 locations in 35 states...Some of these storage sites are close to population centers and are located near rivers, lakes, and seacoasts. The stored materials, if left where they are indefinitely, could become a hazard to nearby populations and the environment.”

U.S. Department of Energy, “Viability Assessment of a Repository at Yucca Mountain – Overview,” December 1998

All nuclear plants are required by the NRC to safely store their used fuel until the DOE removes it. Used fuel is usually stored in heavily reinforced concrete pools of water inside nuclear electricity generating plants. At some operating plants, storage pools are now nearing their capacity. For permanently shutdown sites, the situation is more acute because these facilities cannot be fully decommissioned, making the sites unavailable for other uses. In short, some of the nearly 37,000 tons of used fuel now at nuclear plants might have to be stored above ground in special containers and casks — called dry storage. Dry storage is as safe as pool storage, but is less complex and less expensive to operate particularly at single unit plants undergoing decommissioning such as Yankee Rowe, Connecticut Yankee and Maine Yankee.

Transferring the fuel from wet to dry storage at these plants will enable their used fuel storage pools to be decommissioned. This involves placing the fuel inside airtight stainless steel canisters, which are in turn placed inside large steel-lined concrete casks and stored on a thick concrete pad. For instance, at the Connecticut Yankee site, there will be 43 fuel storage casks placed on a 100 by 200-foot, three-foot-thick concrete pad, while at the Yankee Rowe site, there will be 16 storage casks. Dry cask storage is now being used at more than a dozen nuclear plants around the country and is planned at many more.

The steel canisters to be used by Yankee Rowe, Connecticut and Maine Yankee are designed to be transferred from the concrete casks into specially designed NRC-approved rail transport casks for removal by DOE. This dual-purpose storage method readies the used fuel for transport and minimizes the number of shipments required.



A three-foot thick reinforced concrete pad has been constructed at Yankee Rowe, where 16 casks will store used fuel and high level waste until removed by DOE.

In conclusion ... Used fuel must be stored at individual plant sites until DOE removes it. The dual-purpose storage method safely stores used fuel, provides economic benefits to ratepayers and prepares the used fuel for efficient shipment.

Interim Storage: The Centralized Option is Best

Blue Ribbon panels of non-partisan experts consistently agree that there are two safe options: a centralized, temporary storage facility or 73 such facilities at individual power plant sites. Both are safe, but a remote, arid, central site is superior and saves tens of billions of dollars.”

Commissioner, LeRoy Koppendray, Minnesota Public Utilities Commission, Testimony before the U.S. House Commerce Subcommittee on Energy and Power, 1999

“It would be better to temporarily store the waste at Yucca Mountain while the permanent facility is being completed there than to leave it where it is”

“Politicking with Nuclear Waste”, Editorial, *The Hartford Courant*, May 19, 2000

After spending nearly 20 years and \$6 billion, DOE still has not determined the suitability of a Nevada desert site for a permanent disposal facility. The program is seriously behind schedule. And, despite its acknowledgement that permanent disposal will not be available until at least 2010, DOE has made no provisions for centralized interim storage — even with permanently shut-down plants and an increasing number of operating plants requiring dry cask storage. A decision on interim storage must be made.

As stated earlier, financial resources from the Nuclear Waste Fund can be used to site and operate a centralized, temporary storage facility. Former DOE Secretary Richardson acknowledged that the federally-owned Nevada Test Site is viable for interim storage. Building centralized interim storage at the Nevada Test Site or providing for surface storage at Yucca Mountain makes common sense — whether or not the Yucca Mountain site is used for permanent disposal. Clearly, it would be better to temporarily store the waste at Yucca Mountain while the permanent facility is being completed than to leave it where it is. Congress should take action to authorize the temporary storage of used fuel at either of these locations.

The added cost to ratepayers for continued storage at existing nuclear plant sites would be in the billions of dollars. The near-term financial burden is significant at permanently shutdown plants — particularly single-unit sites like Yankee Rowe and Connecticut Yankee. Not only would dry cask storage have to be built and locally monitored for decades, but the completion of the full decommissioning process and release of the sites for reuse in their entirety will be delayed. This means that ratepayers are being forced to pay twice for used fuel management — once into the nuclear waste fund, then a second time for continued on-site storage until DOE finally performs disposal. The recovery of damages awarded as part of the “Yankee” lawsuits (see page 4) will either mitigate or eliminate the double payment by New England’s ratepayers, but still will not remove the operational burden of continued storage of spent fuel at the plant sites.

In conclusion ... There are two interim storage options — storage at 78 (utility and DOE) sites in 35 states or one centralized facility. One secure, environmentally safe facility would be better and much more economic than storing the waste at a large number of sites throughout the U.S.

Used Fuel at Shutdown Plants: Priority Removal is Needed

“We believe that any comprehensive nuclear waste legislation that provides a centralized, permanent facility must, in addition to other issues, fully address the urgent needs of the permanently shutdown nuclear power reactors undergoing decommissioning.”

U.S. Senators: Edward M. Kennedy, John F. Kerry, Christopher J. Dodd, Joseph I. Lieberman, in a letter to Honorable Frank Murkowski, Chairman, U.S. Senate Committee on Energy and Natural Resources, March 23, 1999

In 1992, Yankee Rowe was the first nuclear plant in New England to permanently shut down and serves to highlight the impact of DOE’s failure to meet its obligations. At that time, Yankee completed its \$22.5 million payment in used fuel disposal fees to DOE and began to restore the site to a “green field” condition. By January 1998 — the date DOE was scheduled to begin accepting used fuel shipments for disposal — more than 80% of the decommissioning work was completed. However, the work cannot be fully completed until Yankee’s used fuel bundles are permanently removed. The situation at Connecticut Yankee is similar.

Under DOE’s current program and schedule, the complete removal of used fuel at the four permanently shutdown commercial plant sites in New England would require up to 50 years even after the Yucca Mountain facility becomes operational. This schedule contradicts the intent of the standard contract with DOE that states “...priority may be accorded any [used fuel] removed from a civilian nuclear power reactor that has reached the end of its useful life or has been shut down permanently for whatever reason”. DOE should factor this provision into its waste acceptance plans and accelerate removal rates and incorporate the concept of consolidated shipping campaigns as provided for in federal legislation [S. 1287, Sec.106] that passed the U.S. House of Representatives and Senate by wide margins, but was vetoed by the President in 2000.

To meet its obligation, DOE must specify and commit to actual dates for removal of used fuel and provide for priority acceptance from plants that would otherwise be able to terminate their NRC licenses, return their sites for other uses, and avoid substantial on-site used fuel storage costs. Granting removal priority to shutdown plants would result in substantial decommissioning cost savings to ratepayers and would also minimize DOE’s liability for damages as a result of litigation, thus relieving taxpayers of that burden.

To expedite the eventual movement of used fuel to a federal site, many of the permanently shut down plants are now proceeding to package their used fuel in special NRC-licensed canisters that will be placed directly in shipping casks once DOE begins to move fuel. The dual-purpose storage and transport systems currently planned for use at Connecticut Yankee, Maine Yankee, and Yankee Rowe also allow the decommissioning of the spent fuel pools. If used at all New England plants, the systems would enable DOE to reduce the total number of used fuel shipments from New England from over 6,000 truck shipments to fewer than 600 rail shipments.

In conclusion ... Prioritized acceptance of used fuel from the four shutdown plants in New England would save the regional ratepayers hundreds of millions of dollars in storage costs and would allow the sites to be fully decommissioned.

Used Fuel Transportation: Safety has been Demonstrated

“In the more than 2,500 [used] fuel shipments made since 1971, seven accidents have occurred. Four of these took place on rail shipments and three during truck shipments. None resulted in a radioactive release.”

League of Woman Voters, July 1996, "Transporting Radioactive Spent Fuel, An Issue Brief." New York.

DOE is currently accepting up to 22,700 individual used nuclear fuel assemblies from research reactors from 41 countries and transporting this used fuel for interim storage at DOE facilities in South Carolina and Idaho. The majority of used fuel shipped from research and defense facilities is stored at three interim sites in Idaho, South Carolina, and Washington. Under agreements between DOE and these states, the defense facilities' waste will be moved to Yucca Mountain when it becomes available.

Since 1971, used fuel and other high-level radioactive waste from U.S. research and defense facilities have been safely transported. The 1,306 shipments of used fuel made between 1979 and 1995 from academic, industrial, and utility reactors accounted for 839,268 shipment miles of more than a thousand metric tons. DOE is already using routes for high-level waste transport that pass through all but four states.

These shipments are in accordance with federal, state, and local government regulations that ensure the safe transportation of radioactive spent fuel. The two principal federal agencies that oversee the implementation of relevant laws and guidelines are the Department of Transportation (DOT) and the Nuclear Regulatory Commission (NRC). DOT regulates shippers and carriers of radioactive material and transport operations while the material is in transit. The NRC regulates container design and manufacturing.

The transportation containers, certified by the NRC, are the safest transportation containers ever built and must withstand the most severe accidents that can ever occur by meeting the following tests: a 30-foot free fall onto an unyielding surface of steel plate over reinforced concrete; a 40-inch fall onto a pointed metal bar six inches in diameter; a 30-minute exposure to a 1,475°F fire that engulfs the entire container; and total submergence under three feet of water for eight hours.

An updated NRC study issued in March 2000 by Sandia National Laboratories re-examined risks associated with both highway and rail shipments of used fuel. Using more advanced analysis techniques, more detailed evaluation of anticipated transport routes and better data, the study's results indicate that *transportation risks associated with used fuel are even lower than previously calculated.*

In conclusion ... Used fuel has been and continues to be safely shipped in or through almost all states by DOE.

DOE Transportation of Used Fuel: The Need to Begin Now

“The States of Maine, Connecticut and Massachusetts... [urge] Congress to assure the prompt removal of high-level radioactive waste and spent nuclear fuel from shutdown nuclear plants ... There are no technical or legal barriers that would bar DOE from removing spent fuel from shutdown plants. DOE has authority to move spent fuel to any of the numerous existing DOE facilities the same way that it routinely accepts spent fuel generated by foreign and research reactors. The States simply ask that DOE exercise its authority and fulfill its obligation...”

Statement on Behalf of the Governors of the States of Maine, Connecticut, and Massachusetts Regarding DOE's Failure to Remove Spent Nuclear Fuel from Shutdown Reactor Sites, *Senate Energy and Natural Resources Committee*, September 28, 2000

“... we request that the Department immediately proceed with fabrication and deployment of the NRC-licensed transportation system designed to remove the canistered Rowe [Yankee Atomic Electric Company] spent fuel. By deploying the transportation system now ... Massachusetts residents will be provided the necessary assurance that [DOE] fully intends to meet its obligation and remove spent fuel.”

Massachusetts State Senators Stan Rosenberg, Andrea Nuciforo, Stephen Brewer and Massachusetts State Representatives Dan Bosely, Shaun Kelly, Stephen Kulik and John Merrigan, Letter to DOE Secretary Bill Richardson, May 16, 2000

To expedite removal of used fuel to a federal site and provide for the timely and cost-effective decommissioning of plants, many plants will use a dual-purpose dry storage and transportation system. The dual-purpose canister will not only store the fuel, but prepare it for transportation.

Given the historical delays in the DOE program and long lead times associated with fabrication of the transportation component of the dual-purpose canister to be used by many utilities, local communities are concerned that on-site used fuel storage at plant sites may become permanent. These concerns were heightened by DOE's proposal last year that it be allowed to “take title” to fuel at plant sites and by the steady erosion of the DOE Waste Acceptance and Transportation budget.

In conclusion ... The Congress should direct DOE to include funds within the FY 2002 budget for the immediate fabrication of NRC licensed and approved dual-purpose transportation casks and transportation systems. Such action will: (1) provide assurance that DOE fully intends to meet its obligation and remove commercial used fuel to a federal site, (2) demonstrate the soundness of the necessary infrastructure required to complete this important national objective, (3) provide assurance that DOE will have the capacity to meet contingency requirements necessitated by any prolonged storage at the reactor sites, and (4) save millions of dollars in the future by allowing used fuel to be removed quickly once DOE finally meets its obligation and removes it.

Responsible Action Now for Used Fuel: New England Support

"We believe that any comprehensive nuclear waste legislation must fully address the urgent needs of the permanently shutdown nuclear power reactors undergoing decommissioning."

U.S. Senators: Bob Smith, John Chafee, Patrick Leahy, Jim Jeffords, Olympia Snowe, Susan Collins, Judd Gregg, in a letter to the Honorable Frank Murkowski, Chairman, U.S. Senate Committee on Energy and Natural Resources, March 1, 1999

"...The New England Governors' Conference, Inc. has reasonably concluded and firmly believes that DOE's failure to remove nuclear fuel from nuclear sites in New England for storage or disposal, in accordance with its statutory obligations, continues to impose unnecessary costs on electric consumers...The New England Governor's Conference, Inc. advocates that DOE support the establishment, as soon as possible, of a centralized interim storage for spent nuclear fuel at an environmentally preferable site."

New England Governors' Conference, Inc., Resolution Regarding the Storage and Disposal of Spent Nuclear Fuel in New England (Resolution # 146), October 5, 1999

"...Whereas, in accordance with the NWPA, electric customers in the New England states have paid over \$1.3 billion to the federal Nuclear Waste Fund, with the expectation that used nuclear fuel would be removed from nuclear plant sites in New England..."

New England Conference of Public Utilities Commissioners, Inc., Resolution Regarding the Department of Energy's Take Title Plan for Storage and Disposal of Used Nuclear Fuel, September 21, 1999

"The State urges DOE to give all stakeholders greater certainty that fuel at decommissioned commercial reactors will be moved expeditiously by affirming that it will accept and transport Connecticut Yankee's SNF [used fuel] that has been placed in duly licensed ... canisters and by initiating a test of the Plan in the real world of a decommissioned plant."

Donald W. Downs, Chairman, Connecticut Department of Public Utility Control, Letter to Mr. James H. Carlson, US DOE. December 15, 2000

"...Whereas, an integrated spent fuel management system is necessary which should include, but not be limited to, four essential components:

- *a central facility for interim storage until a permanent repository is made available;*
- *a transportation infrastructure for the safe and efficient transfer of spent fuel;*
- *a central repository for permanent deep geological disposal; and*
- *a provision to prioritize the acceptance of spent nuclear fuel from shut down reactor sites..."*

Massachusetts House of Representatives, Resolution Memorializing the U.S. Congress to Enact Legislation Addressing the Disposal of Nuclear Waste, July 1997

"...Now Therefore, Be It Resolved, that the Senate calls upon the United States Congress to address the programmatic and budgetary shortfalls that have plagued the Nuclear Waste Program and to address, through legislation, the Department's responsibility to accept and remove spent fuel from reactor sites, the establishment of an interim spent fuel storage site, the siting and licensing process for a permanent repository and usage of the unobligated balance of the Fund available for nuclear waste program activities....."

State of Connecticut, Senate Resolution No. 12, Adopted 1997

"The accumulation of spent nuclear fuel from nine reactors at seven locations in New England with no near-term solution has serious economic implications. The price for continuing indefinite storage is an added burden for utility customers who would in effect be paying twice for storage and disposal."

James Brett, President, New England Council, "A Solution on Nuclear Waste", *Boston Globe*, October 13, 1997

"It is time to get our nation's stalled spent nuclear fuel storage and disposal program back on track. Consumers have been paying for a solution for years."

Joseph C. Faherty, President, Massachusetts AFL-CIO, July 1995

"Nuclear power plants were not designed to be permanent spent fuel storage facilities. Because the federal government is so far behind schedule and because plants are running out of storage space, many power plants may be forced to build additional storage ... This is patently unfair because it means utility customers will be forced to pay twice -- once to the government's Nuclear Waste Fund, then again for extra onsite storage."

Boston Chamber of Commerce, October 1995

"Consolidating the waste at a single interim facility is far preferable to 109 dispersed sites."

The Christian Science Monitor, October 1995

Responsible Action Now for Used Fuel: National Support

“The Committee is concerned about the steady erosion of Administration support for activities associated with the waste acceptance and transportation functions of the Office of Civilian Radioactive Waste Management. The Department needs to demonstrate its ability to remove spent fuel from utility sites for Federal management, and, in particular, its commitment to the timely removal of spent fuel.”

Report of the House Committee on Appropriations (H.R. Rep. No. 106-693, at 98 (2000) on the Energy and Water Development Appropriations Act, 2001 (Pub.L. 106-377).

“ DOE should begin planning and acquisition of waste acceptance and transportation capabilities as soon as possible to demonstrate its commitment to the timely removal of used nuclear fuel from reactor sites. Receipt of used fuel prior to the start of repository operations should be addressed by DOE as a means to accomplish the timely removal of used fuel from reactor sites.”

Nuclear Energy Institute, Comments on the DOE Plan for Transportation Cask Fabrication and Waste Acceptance Capabilities, December 14, 2000

“Continued storage at permanently shutdown plants is unacceptable because it imposes costs on ratepayers without equivalent benefits and prohibits economic reuse of the site.”

Resolution by the National Association of Regulatory Utility Commissioners, November 2000

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