

June 19, 2018

Dear Senator,

On behalf of our millions of members, the undersigned organizations write to express concern with Sec. 304 of the FY2019 Energy and Water Development and Related Agencies Appropriations Act (S. 2975). This section would unwisely alter our nation's nuclear waste policies to prioritize the misguided aim of getting an interim spent fuel storage facility up and running as soon as possible at the expense of durable, lasting solutions like publicly accepted and scientifically defensible repository disposal. This provision has no place in an appropriations bill. Slipping this provision into an appropriations bill means that the proper legislative consideration and public debate have been disregarded. The ensuing contentiousness and litigation promises yet more problematic consequences for our already troubled national nuclear waste program.

Sec. 304 would allow the Department of Energy to create a new pilot program for consolidated interim storage of nuclear waste at private facilities that are licensed by the Nuclear Regulatory Commission without any meaningful requirement for progress on a publicly accepted repository and final disposal solution. Such a provision allows for massive shipments of nuclear waste around the country to an ostensibly short-term site, establishes no new process for long overdue radiation protection standards, while at the same time eviscerating the impetus for a strong repository program. Taking this kind of expedient, short term action, as noted by former Chairman Bingaman and many others, will almost surely result in the creation of a *de facto*, and above-ground, permanent resting place for the nation's spent fuel. This is the precise opposite of what is called for by law and what has been a national consensus for decades. Rather, congressional action should establish a strong linkage that bars an interim or temporary storage site from becoming a *de facto* repository, but this section has no such safeguards.

Put plainly, severing strong links between contemporaneous progress on storage and disposal options in the Nuclear Waste Policy Act removes all meaningful impetus for adherence to the principle that waste from the nation's nuclear weapons program and its commercial nuclear power plants must be buried in deep geologic repositories, permanently isolated from the human and natural environments. The primacy of geologic disposal as the solution for nuclear waste is consistent with more than 50 years of scientific consensus and, most recently, with the findings of the Blue Ribbon Commission on America's Nuclear Future (BRC). No other solutions are technically, economically or ethically viable over the long term for the environment and human society.

Congress should discard this approach and embrace the development of a science-based and consent-based repository program that acknowledges the significant institutional challenges facing spent fuel storage and disposal. Instead of pressing forward with more plans sure to invite rancor, Congress should seek a solution that provides full environmental protections via Environmental Protection Agency and delegated state regulatory authority over nuclear waste. Advancing the Alexander-Feinstein interim storage plan in an appropriations bill solves none of these problems and will have lasting, problematic consequences for our nuclear waste program and likely derail any chance for the meaningful reforms and efforts to find an ultimate solution for nuclear waste.

We appreciate the committee rejecting the inclusion of controversial and harmful House riders and the damaging funding cuts proposed by the Administration. We hope you will address our concerns with Sec. 304 along the same lines.

Sincerely,

Abalone Alliance Safe Energy Clearinghouse
Alliance for Environmental Strategies
Beyond Nuclear
Citizens Awareness Network
Citizens for Alternatives to Radioactive Dumping (CARD)
Citizens' Resistance at Fermi 2 (CRAFT)
Clean Water Action
Coalition for a Nuclear Free Great Lakes
Concerned Citizens for Nuclear Safety
CT Coalition Against Millstone
Don't Waste Michigan
Ecological Options Network
Food & Water Watch
Friends of the Earth
HEAL Utah
Heart of America Northwest
Indigenous Rights Center
JustPeace
Multicultural Alliance for a Safe Environment
Natural Resources Defense Council
Nevada Nuclear Waste Task Force
New Mexico Environmental Law Center
North American Water Office
Nuclear Energy Information Service (NEIS)
Nuclear Information and Resource Service
Nuclear Issues Study Group
Nuclear Watch New Mexico
Nukewatch
Oak Ridge Environmental Peace Alliance
On Behalf of Planet Earth
Proposition One Campaign
Public Citizen
Redwood Alliance
San Luis Obispo Mothers for Peace
San Onofre Safety
Southwest Research and Information Center
Sustainable Energy and Economic Development (SEED) Coalition
The Peace Farm
Toledo Coalition for Safe Energy
Vermont Yankee Decommissioning Alliance