

A CALIFORNIA INTERIM SOLUTION EXCLUSIVELY FOR CALIFORNIA STRANDED NUCLEAR SPENT FUEL

A California Interim ISFIS site must be designated in rapid speed.

Camp Pendleton is the wrong military base to store San Onofre spent nuclear fuel for the 160 years or indefinitely as now regulated by the NRC.

The billion dollars about to be spent by the taxpayer through a loan from SCE to triple the size of the current ISFSI at San Onofre must be put on hold until a new site is designated and the Interim Storage ISFSI can be built where the fuel may remain for 300 years as it must be watched for tens of thousands of years or until science discovers a new way to use it.

All plans for a California spent fuel ISFSI must adhere to California environmental laws even if private land is purchased or a reservation exempt from state and federal laws is contracted.

Any ISFIS land must be held by the public for 300 years in the contract.

Consent based contracts must be written including laws that prevent the use of eminent domain procedures because they will be held up in court for decades as is currently the case with Yucca Mountain and Utah's private fuel storage facility that is on reservation land. We must also remember Nevada did not want the country's spent fuel. We must make sure California in solving our interim storage problem does not become the waste storage for the entire country.

A law must be written to insure that no nuclear spent fuel from out of state may be imported to an Interim ISFSI built in California. And the storage facility is not for reactor fuel from Diablo until it is shut down as the continued transport of the fuel must not be a part of the Interim process.

At San Onofre if an ISFSI site in a remote California area is set in the next few years, the larger ISFSI at San Onofre could be stopped from production. The Holtec buried system that is not licensed currently by the NRC for transport would not be needed. Regardless of which company, no foreign outsourced workers must be allowed as is currently being done by Holtec at San Onofre. American labor only must be at our nuclear sites. The current 50 Areva dry storage canisters could be moved as soon as the already NRC approved transport casks are produced. They were in the SCE budget DCE to be ready by 2016 but were canceled. They must be ordered. The DOE has announced a budget and the production of a dedicated train box car that can carry on US train tracks the heavy loads for a canister in a transport cask. That means the 50 Areva canisters now stored in cement overpack for ten years at San Onofre could be moved as soon as the cement above ground ISFSI is built in the remote California location selected for CA Interim storage. The spent nuclear fuel in the cooling pools at San Onofre could conceivably be transported by dedicated truck as it was to Illinois. Or it could be put in dry storage canisters that will fit in the already constructed ISFSI cement overpack as the current Areva canisters are removed two at a time until transport of all is accomplished. It is my understanding that a dedicated train could take two box cars, thus two canisters on US train tracks the 100 to 500 mile distance to whichever remote location is selected. This plan alone just for San Onofre's 1632 tons of spent fuel will save the taxpayer close to a billion dollars.

Any private energy company bidding to create a California ISFSI must not have profits based upon a short range contract. One hundred sixty years is the expected length of stay of the fuel at this time by the NRC. The taxpayer needs guarantees that the land, the structures, monitoring personnel, the emergencies dry transfer systems are a part of the company's 160 year plan and that replacement of aging or damaged canisters is included. Protection of the area cannot be the current NRC standard of 5 terrorist on the ground or even less protection as the NRC is now considering. The public deserve protection for this deadly fuel we must pay for in storage for the next 10,000 years.

The moratorium on nuclear reactors in California must be strengthened not weakened now that the world has watched misjudgment of the nuclear industry design basis create two dead zones and cause San Onofre to be shut down early for human errors in planning. We have also watched WIPP due to human error on a simple level of tossing materials in the wrong container and not watching the monitoring screens for 15 hours which were on a 24 hour monitoring program cost billions of dollars and shut down forever large areas of the Waste Isolation Pilot Plant due to radioactive contamination not stopped by a monitoring system that was ignored. A hoped reopening in four years of new storage there though announced by the Secretary of Energy did not include better standards for oversight which must be better regulated than a profit based industry seems to be capable of producing. The DOD must form a West Point or Annapolis nuclear engineered team like the Navy seals that will be specialized and dedicated to oversight of long term aging management of the nation's nuclear spent fuel. The nuclear industry has not invented the safeguards it promised. Private or public ISSFSIs must have DOD oversight to protect against deadly errors. When we say this is too expensive we must remember Fukushima is now in the trillions of wasted dollars and still has not started to contain the damage.

California is geographically located on the earth's earthquake zone called the ring of Fire. Until Fukushima perhaps we have been dreaming we are safe with nuclear reactors on our California coast. The NRC keeps trying to prove to us that we are no different from a reactor located in Nebraska with their generic waste rules and their approval of SCE's environmental impact report saying San Onofre has no special geographic concerns above "small." Semiologists in California have better science today and are warning us clearly in messages to the public never expected in the 1960's when nuclear reactors were built along the coast of California that we can expect an 8.0 soon and underground triggers are not predictable. They equate the potential harm to a recent devastation in Turkey and to the San Francisco quake in 1905 that took four decades to recover financially.

The site selected must also be away from the ocean environment due to the unknowns of future storms, tsunamis, for protection of the ocean environment and to prevent the corrosive effects of salt water on the ISFSI concrete and stainless steel.

The site selected must not be at the bottom of potential hillside rain deluge runoff that could well-up under the ISFSI or flood the control areas.

The site selected must not be where firestorms that burn acres of land out of control could be a danger to employees and defense in depth safety measures affecting the spent nuclear fuel in storage.

The site selected must have a no fly zone and distance from highways, and ocean access to be insured against a terrorist attack. The record is clear if a terrorist with today's weapons of destruction decided to launch an attack on even dry storage to blow it up, we have no defense at San Onofre against it, only the probability that no one will decide it is a good target.

The site must be away from 8.4 million people who would have to leave their homes if another design basis mistake is made by the nuclear industry and the NRC. The nuclear industry is limited in lawsuits to \$11 billion and is an industry that functions on profit and probability models.

The site must be away from the possibility of aquifer contamination. The dry canisters are a 25 year experiment that may last 100 years or may corrosion crack within decades making transport impossible.

The site must be in California in order to streamline stakeholders' consent and the laws that would be needed and not cross state borders where more stakeholders and different laws could stop the progress of a site selection for just California stranded spent fuel.

Secretary of Energy Ernest Moniz announced in March 2015 that he has budget now for one consent based Interim Storage location for commercial spent fuel and one pilot plan in a yet to be planned solution to the stalemate of what to do with the nation's commercial back end stranded nuclear spent fuel. California has the opportunity to get funding if we design the plan. We must act now.

California needs to invent its Interim solution and apply for the funding. Thirty-three states are going to need 33 different consent based plans as their stranded spent fuel must be addressed. Thirteen states already have stranded fuel and need an Interim solution. It is wrong minded to plan for one or two consolidated interim locations just as it was a mistake to cart 140 tons of nuclear waste across 890 county boundaries to one final repository at Yucca Mountain.

The United States will need three final deposit repositories, one in the West and two in the East if any can ever be consent based and scientifically and technically safe. But that future is decades away and every two years in the nuclear industry, the NRC, and our government, all the leadership changes and no one is accountable and no action is the result.

California cannot afford to wait. We must act consciously understanding California's specific dangers and stop pretending the fuel can be left where it is.

I would welcome any way I can help with this process. I have records for the last four years, since Fukushima grabbed my heart and made me look carefully at the dangers at San Onofre.

Best Regards,

Marni Magda

April 16, 2015

Patricia Borchmann

David Victor, Chairman

Community Engagement Panel

San Juan Capistrano Community Center

c/o www: SONGScommunity.com website

RE: CEP Panel Meeting 04 16 15 – Public Opposition to SCE-proposed License Exemptions, and NRC processing which Bypassed Any Public Review; Opposition to Proposed Emergency Plan Reductions (Due to Significant Safety Gaps)

Dear Chairman Victor:

Thank you for accepting supplemental public comments by email, which I hope can be distributed to the entire CEP Panel in advance of your meeting tonight in San Juan Capistrano (from 6-9 pm). I will be unable to attend in person, but will be viewing the meeting via SCE's webcast remotely from San Diego County;

I doubt if webcast viewers will be able to actively participate, or interact in the meeting, so if possible please make sure my concerns here are presented to the CEP Panel Member(s), and made available to media, or anyone at the meeting, or by viewing the public record.

My personal observations about topics on CEP's Agenda tonight include how:

SCE's proposed processing sequence for fast-track processing of the utility's multiple License Exemption Requests has so far entirely bypassed any public exposure, public meeting, public review/comment periods, any mainstream media exposure, or any meaningful public participation opportunity. SCE's proposals are an insult to a public who tries hard to become informed, and learn as much as possible, and become active participants in the Decommissioning Plan process at San Onofre.

Instead, the various License Exemptions proposed by SCE were submitted in mid-December 2014, and have so far only been processed internally by NRC staff, and their limited consultations with local agencies. As a stakeholder in north San Diego County, I felt the NRC process so far, unfairly applied an insider-only exclusive process, so on behalf of many, I object to the way SCE's License Exemptions have excluded any meaningful public participation. I also object to how License Exemptions have already been pre-approved by NRC staff, and have apparently already had some level of preliminary approval by NRC Commission.

Before these SCE-requested License Exemption approvals for SONGS 2 & 3 proceed any further, I would ask Community Engagement Panel to apply your limited authority to intervene, on behalf of the public interest. Please consider Stakeholders' respectful request CEP Panel for tonight, to apply action to assert public's right to

make substantive comments, meaningful observations, contribute constructive comments.

During earlier phases, CEP will recall how as has already become an established pattern, public participation by stakeholders in southern CA has already led to meaningful public safety contributions, and vitally important, but overlooked cost considerations, and highly technical oversight observations, especially since the January 2012 SONGS shutdown, which eventually led to SCE's corporate decision to prematurely retire SONGS 2 & 3.

Since the SONGS shutdown in early 2012, until SCE prematurely retired SONGS 2 & 3 at end of June 2013, CEP Panel members probably recall how certain local stakeholders from reactor communities identified several specific technical issue issues were vital. Until NRC received public comments, up til then, such impacts had not been recognized, or evaluated by NRC staff. Once public comments were received, NRC staff reevaluated, and then determined SCE's analysis and technical submittal somehow seemed less than credible. It appeared that significant technical, cost, storage cask design impacts had been either overlooked during NRC staff' initial analysis, or maybe how certain cost, safety and technical impacts may have been grossly, or even partially underestimated. This led to SCE undertaking extensive unnecessary time to perform an extremely faulty Restart Plan for Unit 2, that was eventually abandoned, but only after extreme additional costs (to Ratepayers) were accrued, by SCE and consultant(s) over many many months.

Based on these and many 'lessons learned' from hardships, or deficiencies noted by stakeholders in the past, now Stakeholders feel the urgent necessity to publicly assert that CEP intervention is necessary, to formally assert stakeholders' formal Request for Hearing, and restore every opportunity for authentic public participation.

Stakeholders assert that by applying the streamlined permit sequences requested by Licensee during NRC's internal-only NRC staff review of SCE-controlled materials for SONGS 2 & 3, when NRC applies these fast-track processing sequences for expedited permit review, the public interest and public's mandated rights were violated, and all ordinary standards for reasonableness remain unmet.

Therefore, Public Stakeholders in southern California, request formal intervention by Community Engagement Panel, because experience has proven that when agencies apply streamlining procedures to complex processes like this, the time that is saved can only be accomplished when the public interest is unserved, but the regulatory agency (NRC) confers undue deference to the utility interest in expedience.

Stakeholders are requesting that CEP assert your limited authority to represent public interest in the full exercise of due process, open meeting laws, and normal agency protocol, and formalize stakeholders' Request for Public Meeting.

Public Opposition to Emergency Plan Reductions, as proposed by SCE (Licensee)

Stakeholders also oppose the multiple License Exemptions proposed by Licensee (Edison), pertaining to Decommissioning Plan for SONGS 1, 2 and 3. First, it is vitally

important to have CEP recognize that Decommissioning for SONGS Unit 1 was never fully completed, after Unit 1 was shut down and demolished. In fact, it is highly relevant, because the scope of completing Unit 1 Decommissioning work has been obscured by Licensee's contrived project scoping, phasing, and 'creative' project fragmentation by Licensee, as a separate task to be undertaken by an outside contractor, and NOT being treated as a separate vital component for the Decommissioning Plan for SONGS 2 & 3 to EVEN BEGIN. By separating completion of the Unit 1 Decommissioning from scope of SCE Licensee's DP for SONGS 2 & 3, I believe Licensee hopes to escape taking responsibility for performance of such work. I believe it is likely that the Unit 1 Decommissioning Work will become far more difficult, or impossible for Subcontractor to safely perform. That work requires the 3 foot excavation of the Unit 1 vessel head burial area, before the new ISFSI waste storage area can even BEGIN being implemented. There has not been sufficient study, impact analysis, or mitigation of potential impacts which are at this point uncertain, untested, and unknown, from excavation of 3 foot below the Unit 1 vessel head location. STOP, PAUSE, ASK Licensee to respond.

Public Stakeholders are also opposed to the SCE proposed License Exemptions, which will result in the substantial reduction for Emergency Response Plans onsite at SONGS, and offsite. These reductions could cause potentially devastating unfunded cost impacts for local agencies in surrounding reactor communities in southern California, in multiple counties.

Stakeholders in Southern CA want, deserve, and demand more explicit assurances by Licensee on the License Exemptions requested, to PROVE that Emergency Plan's proposed modifications will still have proven capabilities, funding sources, staffing levels, to ensure that ongoing public health and safety mandates will not be reduced, substantially degraded, or replaced by less reliable systems or lesser funding sources no longer covered by Licensee, or cask designs which may result in ANY LESS than the BEST POSSIBLE WASTE STORAGE CASK CONTROL TECHNOLOGY AND DESIGN (BPCT), as a standard, starting point.

Please don't limit CEP's consideration of alternative cask designs to proposals presented by SCE only, or of cask designs only approved by NRC for application in United States. Expanded Alternatives analysis is necessary to also examine other casks used elsewhere globally. Especially it will be vital to public interest to examine other options, especially applications used globally which are designed with much thicker cask walls, more durable, with real time monitoring capability, for testing, to enable future cask transport capability, and even replacement, if necessary.

Stakeholders are concerned that SCE's proposed cask design (HOLTEC) would allow inner walls of the thin stainless steel casks to become up to 70% penetrated by corrosion, before NRC would consider casks unsuitable. But at THAT POINT, the Licensee is already long gone! This is an alarmingly unsafe proposal, especially when currently proposed casks have no real time monitoring capability, or early alert, and SCE's Decommissioning Plan has ZERO contingency plan, or early staging (funding or acquisition) for any replacement casks, if and when that 70% penetration

benchmark is reached !!!! Stakeholders note that Licensee has provided ZERO credible proof that the proposed HOLTEC casks selected by SCE for Decommissioning Plan at SONGS 2 & 3 will sufficiently provide mandated levels of protection of public health and safety, or that casks won't be ruptured by over 70% corrosion within the first 25- 30 years, or provides for replacement, funding, or contingencies.

There are many many more important discrepancies, unproven assurances, safety hazards, and significant emergency plan defects that I noticed when all the relevant SCE submittals, and research/consensus by outside independent experts are all examined. In order to submit this letter as early as possible this afternoon, I am unable to complete my list in writing, but request the courtesy of CEP allowing me to finish my summary by next week and submit it by Tuesday, April 21, 2015, if possible?

Conclusion:

I strongly feel that stakeholders have been insulted by Licensee's practices, and how they have chosen these internal-only NRC practices. Practices associated with SCE's proposed License Exemptions for SONGS 2 & 3 have so far been highly inconsistent with SCE's earlier repeated public slide shows, and SCE speaker assurances during all earlier CEP Panel Meetings, about SCE Core Values, Mission statements, CEP Charter, that the public would have authentic opportunity at each stage of Decommissioning Plan processes. SCE went to great effort to build public confidence, or restore confidence that the public would always be included as valued ongoing team partners, in an ongoing partnership between SCE (Licensee) and an extremely large population of very interested southern California stakeholders during the entire DP process, with substantive public safety concerns, and cost concerns.

I hope the CEP Panel tonight is able to fully consider public input, as well as valued input from CEP Panelists, and Licensee.

If there are questions, my phone number is

Patricia Borchmann



State of New Mexico

Susana Martinez
Governor

April 10, 2015

Dr. Ernest Moniz, Secretary
U.S. Department of Energy
1000 Independence Ave., SW
Washington, DC 20585

Dear Secretary Moniz,

This letter is to inform you of my support of the community leaders who continue to spearhead the effort to bring a consolidated interim storage facility for spent fuel to southeastern New Mexico.

The recent decision by your administration to adopt a consent-based approach for waste management should highlight areas such as southeastern New Mexico where there is broad support in the region for such an endeavor. The Eddy-Lea Energy Alliance (ELEA) is an organization with regional participation by the City of Carlsbad, City of Hobbs, Eddy County and Lea County. As you are aware, the residents of this area have a high level of understanding of the nuclear industry and its importance to our national security. There is a strong pre-existing scientific and nuclear operations workforce in the area, and the dry, remote region is well-suited for an interim storage site. ELEA has already selected a location that has been vetted extensively.

There is a significant and growing national need for such an interim storage facility. Millions of taxpayer dollars are currently being spent on monitoring and oversight of spent fuel each year, and millions more are being spent on settlement payments related to waste disposition. In many instances, these actions are taking place where such activity and the presence of such waste is disagreeable to local communities.

These communities in New Mexico support safely moving spent fuel to a consolidated interim storage site using proven technology which is the most sensible approach to this problem until a permanent and long-term solution is available. Dry cask storage is a proven, passive, and safe system that has been used since 1984 with no adverse incidents.

Dr. Ernest Moniz
ELEA Interim Storage

Time and time again, the citizens of southeastern New Mexico have impressed me with their hard work ethic and willingness to tackle national problems that many others consider to be unsolvable. In one of the most remote areas of state, they have had the ingenuity and fortitude to carve out a niche in the nuclear industry to broaden their economic base. They understand the benefits not only to their local economy, but also to our country.

Therefore, I support the ELEA and its member cities and counties in their effort to establish a consolidated interim storage facility in southeastern New Mexico that will be regulated by the high safety and technical standards of the Nuclear Regulatory Commission.

Sincerely,

A handwritten signature in black ink, appearing to read "Susana Martinez". The signature is fluid and cursive, with a large initial "S" and "M".

Susana Martinez
Governor



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Posted May 4, 2015 - 5:32pm | Updated May 4, 2015 - 9:40pm

Test run signals start of nuclear waste shipments to Nevada



Transportation of special uranium-tainted waste for disposal at the Nevada National Security Site would involve this type of truck and nuclear waste package. (Department of Energy photo)

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DOE: Nuclear waste move to Nevada to start in 2014

Concerns raised over plans to bury bomb-usable nuclear material in Nevada

By STEVE TETREULT REVIEW-JOURNAL WASHINGTON BUREAU

WASHINGTON – After 18 months of delay to address the worries of state officials, the Department of Energy said Monday night it will ship potent uranium waste from a federal laboratory in Tennessee for disposal in Nevada.

Officials did not give a time-line for when the shipments will begin from the Oak Ridge National Laboratory to the Area 5 landfill at the Nevada National Security Site, 65 miles northwest of Las Vegas.

It's unlikely the Department of Energy office that transports nuclear weapons and special nuclear material will make the shipping schedule public.

Representatives of Energy Secretary Ernest Moniz and Gov. Brian Sandoval have for 18 months discussed DOE plans to dispose of 403 canisters of potent uranium-233 mixed with uranium-235, atom-splitting material



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containing byproducts that can be used to make a bomb. Experts in nuclear nonproliferation expressed concern that the waste would remain potentially dangerous for hundreds or thousands of years.

The DOE program to ship the radioactive waste as part of environmental cleanup of an aging warehouse at Oak Ridge was put on hold in 2013 after Sandoval objected. Besides environmental and security concerns associated with such hazardous material, Nevada officials raised questions about how exotic forms of radioactive waste were being characterized for disposal.

The Oak Ridge waste was classified as "low level" but would be as much as 1,500 times more radioactive than contaminated debris usually buried at the Area 5 landfill. The heavily shielded waste canisters must be handled by remote-control cranes.

An empty 20-foot cask in a shipping container carried by a modified tractor-trailer departed Oak Ridge on Monday and is expected to arrive at the Nevada site on Wednesday. The dry run will give NNSC contractor National Security Technology (NSTec) practice in lifting the cask by crane, removing its lid and then removing and placing the waste-filled inner sleeve in the landfill.

The test shipment also allows DOE to go through the exercise of obtaining overweight shipping permits from Nevada and other states along the route. The truck, trailer and cask total about 90,000 pounds.

Attorneys for the state researched the issue but Sandoval has conceded that Nevada lacks authority to block waste burial at the Nevada Nuclear Security Site if the material is properly classified.

At the same time, Moniz expressed reluctance to strong-arm Nevada, saying the state has long supported nuclear programs at what used to be called the Nevada Test Site.

Moniz and Sandoval made progress toward breaking the impasse when they signed a memorandum of understanding last December giving the state a larger consultation role over waste disposal at the site.

In a statement late Monday, Sandoval's chief counsel Michon Martin said Nevada obtained "many significant accommodations related to the security, transportation disposal and public outreach related to this effort."

Besides insisting that the shipments be handled by the Office of Secure Transportation, the state also obtained a promise that DOE will bury the uranium material in specially configured trenches deeper than the usual 40 feet for radioactive waste.

In the end, Martin said, the state's experts determined the materials "meet the criteria for disposal at the NNSC."

DOE officials did not comment when asked how they concluded the time is right to move forward.

Aides to Moniz said in a written statement that in the wake of "productive discussions" with Nevada, "The Department of Energy is moving forward with the shipments of the Consolidated Edison Solidification Program materials from the Oak Ridge site to the Nevada National Security Site.

Known by its acronym CEUSP, the once-liquid waste from a 1960s reprocessing plant in Upstate New York was solidified and baked in steel canisters at the Oak Ridge lab, where it has been stored in a Manhattan Project-era building since the mid-1980s.

DOE officials said the ceramic mixture, in individual canisters 2 feet long and 4 inches wide, was embedded with neutron-absorbing metals and salts to reduce the risk of an accidental nuclear reaction.

Contact Steve Tetreault at stetreatult@reviewjournal.com or 202-783-1760. Find him on Twitter: @STetreaultDC.

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O
Bellagio
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Marty Feick
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GUEST COLUMN:

Breaking down nuclear waste as a 2-part issue

By Tom LaTourrette and Debra Knopman

Monday, May 4, 2015 | 9:47 a.m.

U.S. Secretary of Energy Ernest Moniz recently announced two new decisions about how the nation plans to deal with nuclear waste. The U.S. Department of Energy (DOE) is beginning a search for an interim facility to consolidate and store spent fuel from commercial nuclear power plants until a permanent waste repository becomes available. It is now planning separate repositories for this commercial waste and the waste from the military's nuclear weapons production instead of disposing of both in the same repository as originally intended.

A key attribute of both of these decisions is that they decouple different parts of the nuclear waste problem from each other. One decision decouples consolidated interim storage from a permanent geological repository — allowing each effort to move forward independently — and the other decouples commercial and defense waste from a shared disposition pathway.

These are small but positive steps toward solving the nuclear waste disposal problem. Since Congress passed the 1982 Nuclear Waste Policy Act — which required the federal government to take possession of commercial spent nuclear fuel by 1998 and dispose of it along with high-level radioactive defense waste in a permanent geological repository — there have been many reasons for the lack of progress. Among these is a requirement that the DOE not take ownership of commercial spent fuel until a permanent geological repository has been licensed by the Nuclear Regulatory Commission.

Because of this coupling between interim storage and permanent disposal, the impasse over the proposed Yucca Mountain repository has prevented any progress toward the federal government's long-overdue obligation to take ownership of the commercial spent fuel and remove it from various power plant sites where it is currently stored.

The rationale for coupling an interim storage facility to a permanent repository has been a fear that any interim storage facility could become a de facto permanent storage site. However, the storage situation already has evolved into what could fairly be described as a de facto permanent solution since nearly all of the approximately 72,000 tons of commercial spent fuel generated in the United States since the beginning of commercial nuclear power in the 1950s is still stored at the nuclear power plants where it was created. Consolidating the waste at a small number of interim storage facilities could therefore hardly be construed as more permanent than the current situation.

The decoupling of defense waste from commercial waste is largely a political accommodation for states such as Washington, Idaho and South Carolina, which have large defense waste inventories that have been tied up with the fate of the proposed Yucca Mountain repository in Nevada. (Nevada has been adamant — and successful to date — in its opposition to the proposed use of Yucca Mountain ever since Congress designated the site as the sole focus of study for the nation's first high-level waste repository in 1987).

The coupling decision, which dates back to President Ronald Reagan and has been supported by all

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presidents since, was aimed at motivating policymakers to deal with both types of waste at the same time. The idea was that moving defense waste to a repository before commercial waste would further weaken the political will to deal with the commercial spent fuel problem. Further, because the political lift to site any repository was seen as burdensome from a public acceptance and licensing perspective and the cost of a second repository was prohibitive, only one site seemed feasible for the DOE waste program.

With the passage of time, however, there's now more waste from commercial reactors alone than can fit in a repository the size of that proposed at Yucca Mountain, and thus a secondary repository will be needed.

Convincing the public, state officials and regulators that disposing of nuclear waste can be done safely has proven to be exceedingly difficult. Public acceptance concerns are real and require respectful, open processes to gain confidence and trust among all the parties.

In light of these challenges, early decisions to couple different parts of the problem in an effort to solve it all at once and avoid the possibility of the process stalling at some intermediate stage are perhaps understandable. However, it's clear that these coupling strategies have failed: There has not been notable progress toward a permanent solution, and the DOE has effectively been stalled at an intermediate stage for decades. Removing unnecessary constraints on where and when nuclear waste can be stored in preparation for permanent disposal is a step in the right direction.

These DOE decisions are therefore encouraging, though it's premature to warrant optimism. For one thing, implementing even these small steps will require congressional action. In March, a bipartisan group of senators introduced the Nuclear Waste Administration Act, which would establish an independent agency to oversee permanent disposal of nuclear waste, establish an interim storage program and authorize the secretary of Energy to consider revisiting the initial decision to commingle defense and commercial waste. Similar legislation introduced in 2013 was the subject of a Senate committee hearing but did not receive a vote.

The road to a permanent solution is long, and there are many other hurdles to face. Decoupling these pieces and moving in smaller steps is likely to help.

Tom LaTourrette is a senior physical scientist and Debra Knopman is a principal researcher at the nonprofit, nonpartisan Rand Corporation.

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Tuesday, May 19, 2015 4:59 PM ET **Exclusive**

Competition in nuclear waste storage will make facilities better, WCS president says

By Annalee Grant

Several years ago the thought of projects competing to store spent nuclear fuel may have been unimaginable. But that is just the situation that Waste Control Specialists LLC President Rod Baltzer finds himself in, and he welcomes the new competition as encouragement to build an even better facility.

SNL Energy caught up with Baltzer May 19 after two major nuclear waste storage developments followed WCS's [announcement](#) in February that it would seek to license a new high level nuclear waste spent fuel storage facility in Texas.

In March, U.S. Department of Energy Secretary Ernest Moniz announced plans to [develop](#) a consent-based siting process with the ultimate goal of building one or more pilot facilities to store commercial spent nuclear fuel. The following month Holtec International [announced](#) a memorandum of agreement signed with several southeastern New Mexico counties and towns to build a new interim underground storage facility near Carlsbad, N.M., that could hold spent fuel for up to 100 years

Holtec plans to store the fuel underground, while WCS plans to store canisters of fuel on a concrete pad. However, the facilities will effectively offer the same service to the DOE, which is [responsible](#) for the nation's commercial spent nuclear fuel.

The WCS facility will be built in Andrews, Texas, in a community that is well aware of the risks associated with storing nuclear waste. The Valhi Inc. subsidiary has operated there since 1995 after being invited to do so by the community, according to Baltzer.

Baltzer said the progression to storing high level waste was a natural one after the company completed construction on its low level site in 2012, right around the time a Blue Ribbon Commission recommended the use of a consent-based process for creating a permanent nuclear waste storage site.

Baltzer said WCS will file an application to license its storage facility with the Nuclear Regulatory Commission in 2016. Since announcing the proposal in February, WCS has been actively working on the application for licensing. He was not surprised to hear of another community and state willing and ready to take the nation's nuclear fuel when Holtec made its announcement in late April.

"Being in the region we understand the willingness of the communities to do some things that other communities may not be willing to do," Baltzer said. "I think they have a different take on risk ... and they understand that if you use the right technology and you use the right regulatory oversight you can do some risky things and still do them safely."

But the two facilities will be very different. Baltzer called the dry cask storage system WCS plans to build with the help of AREVA the "traditional" approach to nuclear waste storage, while Holtec plans to store the fuel underground. Both will be interim sites with the ultimate goal of moving the fuel to a permanent geologic repository in the future. Even the underground waste at the Holtec facility can be removed in a process that takes about four hours, the company said.

"For us we just don't see a need to put them underground. Typically you'd do that if you had an enhanced terrorist threat or seismic activity or something else," Baltzer said. "We're in a very low seismic region. We don't really have threats that you can't identify from 20 miles away because it is very isolated and remote, and flat."

Consent-based siting is the only way to go

The storage of nuclear waste has long been a hot issue, with Nevada engaging in a decades-long dogged fight to keep the Yucca Mountain geologic repository from opening in the state. Baltzer sees a shift in the narrative, with communities now seeing storage as a possible benefit.

"I think there's been an issue needing a solution for a long time, and I think we've finally gotten to a point where people are looking outside the normal box and trying to develop new" ideas, Baltzer said.

Baltzer believes what WCS is doing will fit right in to Moniz's new consent-based siting process and was encouraged to hear about the secretary's plan because it is a strategy that has worked well in Andrews County. "I guess you could possibly get [a nuclear waste storage facility] licensed, but you would not be successful unless you did have the consent of the community that's hosting you, and have their faith that you can operate safely and compliantly," Baltzer said.

For the DOE to be able to compensate WCS for the service of storing fuel, Baltzer said some legislation or policy changes may be needed. The company has been in touch with the DOE to discuss those issues, but no specific plans for addressing them have been developed yet. Moniz himself in March called the WCS proposal "encouraging."

WCS does not propose to be the end-all solution to the nuclear waste storage debate. The facility will only hold about 40,000 metric tons if all five phases are built, while the nation currently has approximately 70,000 metric tons waiting to be shipped to a storage site. The Yucca Mountain repository as proposed would only hold 70,000 metric tons.

"We don't want to take the focus off a permanent repository," Baltzer said. "There's a debate out there, and we don't want to look like we're trying to influence that debate. Let that go as it may."

In the meantime, Holtec's planned facility, and perhaps even more interim storage sites, will be needed. "We're glad we started this process, and competition is always good and it makes everybody better, so we look forward to it," Baltzer said.

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