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April 30, 2009

Letter sent by facsimile

Mr. Frank Moussa
U.S. Department of Energy
OCRWM, Office of Logistics Management
1000 Independence Avenue, S.W.
Washington, D.C. 20585-0001

Re: National Transportation Plan, DOE/RW-0603, Revisions 0

Dear Mr. Moussa:

The members of the Nuclear Waste Strategy Coalition (NWSC) thank the Department of Energy (DOE), Office of Civilian Radioactive Waste Management (OCRWM), the opportunity to provide comments on the above referenced Plan regarding the DOE's current strategy and planning for developing and implementing a national transportation system that will be required to transport spent nuclear fuel and high-level radioactive waste from where the material is generated or stored to the proposed geologic repository at Yucca Mountain, Nevada.

Although Energy Secretary Steven Chu is proposing a Blue Ribbon Panel Commission to review the current federal policy of the nuclear waste disposal program, it is prudent that DOE continues with its mission to provide a thorough transportation plan that describes the elements necessary for a national transportation system that encompass collaboration with stakeholders in the development and implementation of that system.

The NWSC believes that DOE/OCRWM, has developed an extensive documentation and analyses in the National Transportation Plan by breaking down two capital projects in the implementation of a national transportation plan: the *National Transportation Project* has responsibility for the acquisition of rail and truck casks systems; design, acquisition, manufacture, testing and acceptance of rolling stock; and development of facilities to maintain and store casks and rolling stock. *The Nevada Rail Infrastructure Project* has responsibility for the design and construction of a new rail line and associated support facilities within the State of Nevada.

The NWSC is encouraged that DOE/OCRWM will update this Plan as appropriate to reflect progress in the development and implementation of the transportation system, accommodate changes to the waste management system, and incorporate stakeholder and public comments. We are further encouraged that detailed implementation plans will be developed in the future in collaboration with the stakeholder community.

It is our understanding that DOE's FY 2010 budget request for the nuclear waste disposal program will only have sufficient funds for the defense of the license application that the Department submitted to the Nuclear Regulatory Commission (NRC), while more than \$20 billion, including interest, of electricity ratepayer monies remains in the Nuclear Waste Fund (NWF).

Regardless whether this country will reprocess spent nuclear fuel in the future, the U.S. government has the responsibility to provide final disposal of spent nuclear fuel and high-level radioactive waste in a deep geologic repository. While, the NRC is currently reviewing the DOE's license application for the Yucca Mountain project; adequate funds are available in the NWF for DOE to implement its transportation systems plan. The DOE/OCRWM proposed in the National Transportation Plan to, "... conduct pilot projects to assess the adequacy of policies, procedures, and processes that are unique to DOE transportation system. These pilot projects will serve to support system development before larger scale investments are made and before commencement of full-scale operations."

The NWSC encourages DOE/OCRWM to authorize, fund and implement these pilot projects for the near-term while a geologic repository is being licensed by the NRC. These pilot projects will demonstrate that transporting Greater-Than-Class-C waste, spent nuclear fuel and high-level radioactive waste to a centralized interim storage facility would be safe and a cost-effective option for managing the material from decommissioned power plants and other facilities.

Since 1983, ratepayers from 41 states have paid into the NWF, which Congress established for development of a permanent repository for spent nuclear fuel and high-level radioactive waste. The nation's ratepayers pay annually approximately \$758 million into the Fund, and, cutting back in the Program's funding request will only further strand the nations' commercial spent nuclear fuel and high-level radioactive defense waste presently stranded at commercial, decommissioned, and federal facilities in 39 states.

The NWSC is comprised of state regulators, state attorneys general, nuclear electric utilities and associate members working together to hold the Federal government accountable for its statutory and contractual obligation to move spent nuclear fuel and high-level radioactive waste from active and decommissioned nuclear power plants across the nation to a permanent repository. The NWSC has participants from 46 organizations in 26 states.

Respectfully submitted,



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

C: The President of the United States
The Honorable, Steven Chu, Secretary of Energy
The Honorable Peter Orszag, Director, Office of Management and Budget
Mr. Christopher Kouts, Acting Director, DOE/OCRWM