

**MAINE PUBLIC UTILITIES COMMISSION  
NATIONAL ASSOCIATION OF REGULATORY UTILITY  
COMMISSIONERS  
NUCLEAR WASTE STRATEGY COALITION  
PENNSYLVANIA PUBLIC UTILITY COMMISSION  
PRAIRIE ISLAND INDIAN COMMUNITY  
THE NEW ENGLAND COUNCIL**

---

June 17, 2009

**Original letter in the mail  
Letter sent by facsimile**

The Honorable Steven Chu  
Secretary of Energy  
United States Department of Energy  
Washington, D.C. 20585-1000

Dear Mr. Secretary:

We commend you for moving forward to appoint a Blue Ribbon Panel Commission (Commission) to evaluate alternatives for the management and disposal of spent nuclear fuel and high-level radioactive waste currently stranded in 39 states at commercial, decommissioned and Department of Energy (DOE) sites.

However, while the Commission is studying alternatives, the Administration should request sufficient funds on an annual basis to ensure that DOE's Yucca Mountain license application will be reviewed by the Nuclear Regulatory Commission in 3-4 years, as mandated by the current law of the land, the *1982 Nuclear Waste Policy Act*, as amended.

In order for this Commission to succeed, we feel it is imperative that it includes some the following principles:

- The *Federal Advisory Committee Act* should apply to the Commission's activities.
- The Chairman of the Commission should be beyond reproach, with expertise in the field.
- The Commission should be unbiased and impartial, providing fair and comprehensive recommendations.

- The Commission activities and hearings should be open to the public.
- Advice is sought from the Commission on how to inform the public and the media on the realities of spent fuel and other waste transportation risks by an impartial and objective organization.
- The Commission should be composed of credible experts with relevant technical and non-technical disciplines in the field, to include elected local government officials, state regulators and state representatives who have spent nuclear fuel storage facilities in their states and districts, respectively.
- DOE career civil service personnel should serve on the Commission. Many have valuable historic experience and technical skills of the disposal program that would enable the Commission to effectively do its work.
- Neither present, nor past, Members of Congress, nor present or past congressional staff should be included on the Commission.
- The Commission should complete its findings and report back to the Secretary within 24 months.
- The Commission should place greater emphasis on seeking and attaining public acceptance in siting permanent disposal, interim storage or reprocessing facilities, following the examples from such countries as Finland, Sweden and Canada.

The Commission should not be given the responsibility to review or be the final judge of the scientific work that has been carried out by *the Department of Energy* over the past 25 years. Since the DOE submitted its license application in June 2008, it is now under the purview of the *Nuclear Regulatory Commission* and it should complete its official review process.

The Commission should consider the *1982 Nuclear Waste Policy Act*, as amended, is the current law of the land. Therefore, all options should be taken into consideration, including the geologic repository at Yucca Mountain, Nevada, as well as a central interim storage facility or regional facilities to provide storage for spent nuclear fuel and high-level radioactive waste currently stranded at commercial and decommissioned plant sites.

While, the NRC is currently reviewing the DOE's license application for the Yucca Mountain project, the Commission should encourage the DOE to implement the pilot projects proposed in its National Transportation Plan. These pilot projects will demonstrate that transporting Greater-Than-Class-C waste, spent nuclear fuel and high-level radioactive waste to a central interim storage facility or regional facilities would be safe and a cost-effective option for managing the material from commercial, decommissioned and federal facilities.

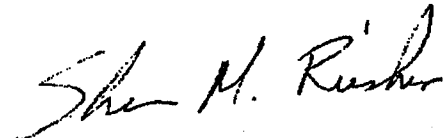
Letter to Secretary of Energy, Dr. Steven Chu  
Page Three – June 17, 2009

The Commission should consider the burden to the nation's nuclear utility ratepayers, which are now impacting all taxpayers too. Ratepayers are: 1) paying into the Nuclear Waste Fund; 2) paying through rates for the utility to keep the waste stored on site because there is no repository, and; 3) paying, along with all taxpayers, through the paying out of awards from the *Judgment Fund* for the DOE's failure to fulfill its statutory and contractual obligations to remove spent nuclear fuel and high-level radioactive waste from commercial and decommissioned plant sites and the storing of spent fuel at commercial plant sites. The Commission should also be made aware that judgments against DOE are now approaching one billion dollars, with additional future liabilities currently estimated to be \$11 billion dollars.

The Commission should also take into consideration the disruption this is causing in the DOE defense clean-up program in the states of Washington, Idaho, South Carolina and other states.

We thank you for the opportunity to submit our input with regards to the formation of the Blue Ribbon Panel Commission.

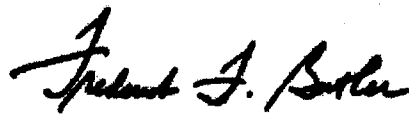
Respectfully yours,



---

Sharon, M. Reishus  
Chairman  
Maine Public Utilities Commission

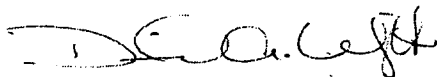
June 4, 2009



---

Frederick F. Butler  
President  
National Association of Regulatory Utility Commissioners

May, 21, 2009

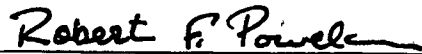


---

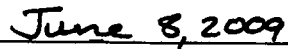
David Wright  
Commissioner, South Carolina Public Service Commission, and  
Chairman, Nuclear Waste Strategy Coalition

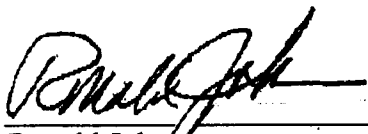
June 12, 2009

Letter to Secretary of Energy, Dr. Steven Chu  
Page Four – June 17, 2009



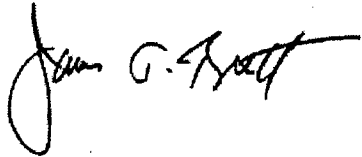
Robert F. Powelson  
Commissioner  
Pennsylvania Public Utility Commission





Ronald Johnson  
Tribal Council President  
Prairie Island Indian Community

June 12, 2009



James T. Brett  
President and CEO  
The New England Council

May 14, 2009