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October 31, 2011

The Honorable Lee Hamilton
Lieutenant General Brent Scowcroft, USAF (Ret.)
Co-Chairmen
Blue Ribbon Commission on America's Nuclear Future
1000 Independence Avenue, S.W.
Washington, D.C.20585

Re: Comments on the Blue Ribbon Commission's July 29, 2011 Draft Report.

Dear Co-Chairmen Hamilton and Scowcroft:

The Nuclear Waste Strategy Coalition (NWSC), an ad hoc group of state utility regulators, state attorneys general, electric nuclear utilities and associate members representing 45 organizations in 32 states applauds the Blue Ribbon Commission (BRC) for its' July 29, 2011 Draft Report to overhaul the nation's failed nuclear waste management program as it addresses many of the items that the NWSC has advocated for and we are pleased to offer our comments in support of those.

By way of background, the NWSC was formed in 1993 out of frustration at the lack of progress the Department of Energy (DOE) had made in developing a permanent repository for spent nuclear fuel (SNF) and high-level radioactive waste (HLRW), as well as Congress's failure to sufficiently fund the nuclear waste disposal program on an annual basis.

As for the BRC Draft Report, we remain deeply disappointed the BRC has chosen not to weigh in on whether the Yucca Mountain License Application process should be completed to determine, based on the science, whether the site is suitable as a repository for the nation's SNF and HLRW. \$15 billion has been spent on the Yucca Mountain program. Ratepayers have fulfilled their side of the bargain paying over \$25 billion into the Nuclear Waste Fund. They deserve to know if Yucca Mountain is a suitable repository site. Simply to end the program with no scientific justification, especially when there is no plan "B", makes no sense. As the Commission points out in the Draft Report, choosing a repository site other than Yucca Mountain will require an amendment to the Nuclear Waste Policy Act, a process that will take much time to accomplish. Until the statute is amended it is the law of the land and needs to be adhered to. We respectfully ask this distinguished Commission to provide its' perspective on the completion of the Yucca Mountain License Application process in your Final Report.

The NWSC supports the Commission's draft recommendation for a "consent-based" approach to siting nuclear waste management and disposal facilities. We agree there is much to learn from the Waste Isolation Pilot Project, which has now surpassed 10,000 safe shipments of high-level waste to the Carlsbad, New Mexico facility. We note, and remind the Committee, that a willing host is also present in Nye County, Nevada and the surrounding communities near Yucca Mountain.

The Commission's recommendation for "a new single-purpose organization to develop and implement a focused, integrated program for the transportation, storage, and disposal of nuclear waste" is critical to the successful reform of the program - and is consistent with past NWSC recommendations. The new organization must be sufficiently insulated from changes in the political landscape and, that regular, sufficient funding from the Nuclear Waste Fund is assured and the management and disposal program can move forward with certainty. The success of the Commission's other key recommendations are linked inextricably to the strength of this new organization.

The NWSC strongly supports Commission draft recommendations 4 and 5: "prompt efforts to develop... one or more deep geologic facilities for the disposal of spent nuclear fuel and high-level waste"; and "prompt efforts to develop...one or more consolidated interim storage facilities..." Again, billions of dollars and decades of research have been invested at Yucca Mountain and the License Application process should continue to its' conclusion.

Unfortunately, with an operating repository many decades away, it makes sense to establish consolidated interim storage facilities at one or more sites, beginning with spent fuel stored at the nine decommissioned reactor sites as the Commission recommends. Consolidated interim storage will allow the U.S. Department of Energy to begin fulfilling its' obligation to remove spent nuclear fuel from commercial spent fuel sites around the country, reduce the number of sites storing spent nuclear fuel and, as the Commission notes, allow for research and development into the extended storage of spent fuel and closing the back end of the fuel cycle. We agree with the Commission and join others who have cautioned that consolidated interim storage must be coupled with a credible repository siting process, so that interim storage does not become de facto permanent storage.

The NWSC supports also the Commission's Draft Report section 12 "Near-Term Actions" that could be undertaken right away "using existing authority in the NWPA", especially in the areas of storage and transportation. Short of choosing a site, DOE could begin the process of implementing consolidated interim storage and make progress toward the transportation of spent nuclear fuel. This should include renewed funding for Section 180 C of the NWPA which pays for emergency planning training for local and tribal officials. An inventory of transportation infrastructure needs near nuclear power plants could also be performed in preparation for transporting SNF and HLRW.

We look forward to the Commission's Final Report in January 2012. We appreciate the effort of the Commissioners and BRC staff to engage stakeholders so extensively over the past year and a half and for the work you have accomplished to date.

Once again, thank you for the opportunity to comment on the Draft Report.

Respectfully yours,



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

C: Mr. Timothy A. Frazier, Designated Federal Officer, Blue Ribbon Commission on America's Nuclear Future.