

**Remarks Delivered**

to

**A Workshop on Technical Challenges  
and Institutional Issues of Interim  
Storage of Spent Nuclear Fuel**

of the

**Nuclear Waste Technical Review Board**

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by

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I AM PLEASED THAT THE NUCLEAR WASTE TECHNICAL REVIEW BOARD IS DIALING UP THE INTEREST ON THE ISSUE OF INTERIM STORAGE OF SPENT FUEL. THE STATE GOVERNMENT IN TENNESSEE WAS DEEPLY INVOLVED IN THIS ISSUE FROM APRIL 25, 1985 TO NOVEMBER 1, 1989. THESE DATES REPRESENT THE INITIAL RISE AND THE EVENTUAL FALL OF MONITORED RETRIEVABLE STORAGE AS THE DEFINING THEME FOR THE NATION'S SPENT NUCLEAR FUEL MANAGEMENT PROGRAM. NOT SINCE THE MONITORED RETRIEVABLE STORAGE REVIEW COMMISSION ISSUED ITS NOVEMBER 1, 1989 REPORT HAS THE CONCEPT OF FEDERAL CENTRALIZED STORAGE REGAINED ITS EARLIER PROMINENCE.

OVER THE PAST FOUR YEARS I HAVE WATCHED THE DEPARTMENT OF ENERGY DEVELOP A MUCH BETTER FOCUS ON THE REPOSITORY FACILITY AS THE DEFINING THEME FOR THE NATIONAL PROGRAM. DURING THIS PERIOD TECHNICAL AND INSTITUTIONAL CONFIDENCE IN STORAGE OF SPENT FUEL AT REACTORS HAS INCREASED. THE DOE REPORT OF THE TASK FORCE ON AN ALTERNATIVE PROGRAM STRATEGY FINDS THAT:

"TODAY FEW, IF ANY, STAKEHOLDERS BELIEVE THERE IS ANY URGENT NEED FOR RAPID FULL-SCALE DISPOSAL. THE NRC HAS SAID THAT WASTE CAN BE SAFELY STORED FOR UP TO 100 YEARS."

WE ALL KNOW, OF COURSE, THAT THE WASTE CONFIDENCE POSITIONS OF THE NRC ARE NOT PREDICATED UPON THE EXISTENCE OF A CENTRAL FEDERAL STORAGE FACILITY. SO WE MAY ASSUME THAT WITH THE PROPER REGULATORY OVERSIGHT, SPENT FUEL COULD REMAIN SAFELY AT REACTORS BEYOND 2050. THIS IS NOT TO SAY THAT OTHER ISSUES SUCH AS

UTILITY SYSTEM COSTS, LOCAL COMMUNITY PREFERENCES, SPECIAL UTILITY HARDSHIPS, POTENTIALS FOR EMERGENCIES, CONTRACTUAL OBLIGATIONS, ETC., ARE UNIMPORTANT. THEY ARE VERY IMPORTANT. AND THERE COULDN'T BE A BETTER TIME, WITH A NEW ADMINISTRATION IN WASHINGTON AND A NEWLY CONFIRMED DIRECTOR OF THE OFFICE OF CIVILIAN RADIOACTIVE WASTE MANAGEMENT, TO HAVE ANOTHER LOOK AT THESE ISSUES. 1998, THE YEAR THAT HAS DRAWN SO MUCH ATTENTION IN THE PROGRAM, IS JUST AROUND THE CORNER AND THE NUCLEAR UTILITIES HAVE A RIGHT TO KNOW WHAT TO EXPECT FROM THE FEDERAL PROGRAM.

THE NUCLEAR WASTE TECHNICAL REVIEW BOARD COULD PROVIDE A GREAT SERVICE TO THE NATION BY POINTING THE WAY, IN THE VERY NEAR FUTURE, TO IMPORTANT PROGRAMMATIC DECISIONS ON INTERIM STORAGE PROGRAMS. DECISIONS REALLY SHOULD BE MADE ABOUT THE 1998 DATE. THE FEDERAL GOVERNMENT SHOULD CAREFULLY DEFINE WHAT ROLE IT WILL PLAY IN INTERIM STORAGE FROM 1998 TO THE DATE OF SPENT FUEL ACCEPTANCE AT A NATIONAL REPOSITORY.

THE MRS COMMISSION PRODUCED A VERY VALUABLE REVIEW OF THE KEY ISSUES OF INTERIM STORAGE. TENNESSEE DID NOT AGREE WITH ALL OF THE MRS COMMISSION'S CONCLUSIONS AND RECOMMENDATIONS. SOME OF THESE SEEMED STRANGELY DISCONSONANT WITH THE CONTENT OF THE REPORT. BUT THERE WAS A LOT OF REAL MEAT ON THE BODY OF DATA AND REASONING WHICH WAS BROUGHT TOGETHER BY THAT COMMISSION.

TAKING THE SUBSTANCE OF THE COMMISSION REPORT AND OTHER HIGHLY RELEVANT FINDINGS SINCE NOVEMBER 1989, WE SHOULD BE ABLE

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NOW TO FINALLY LAY TO REST THE VAIN HOPES THAT THE FEDERAL GOVERNMENT WOULD BAIL OUT A RELATIVELY SMALL NUMBER OF NUCLEAR UTILITIES BY PROVIDING CENTRALIZED STORAGE. WITH THAT HOPE LAID TO REST WE CAN THEN MOVE ON WITHOUT UNNECESSARY DISTRACTION TO DEFINE A PROGRAM WHICH WILL OPTIMIZE INTERIM STORAGE ON-SITE AT THE NUCLEAR REACTORS.

I CAN ASSURE YOU FROM SEVERAL YEARS OF GRAPPLING WITH THE CREATURE THAT MRS DIES HARD, BUT IT IS VERY SICK AND VERY TIRED NOW AND SHOULD BE PUT OUT OF ITS MISERY. WHAT ARE THE SOURCES OF THE TERMINAL MISERY OF MRS?

- (1) THE MRS COMMISSION FOUND THAT AN MRS, LINKED TO REPOSITORY DEVELOPMENT AS THE CONGRESS INTENDS, INCREASED TOTAL-SYSTEM, LIFE CYCLE COSTS BY \$1.3 BILLION, EVEN WHEN THE REPOSITORY DID NOT BEGIN OPERATIONS UNTIL 2013. THIS ANALYSIS INCLUDED AT-REACTOR STORAGE COSTS.
  
- (2) THE MRS COMMISSION FOUND SERIOUS EQUITY PROBLEMS WITH FINANCING AN MRS FROM THE NUCLEAR WASTE FUND. WITH REASONABLE LIMITATIONS ON THE CAPACITY OF AN MRS AND WITH THE ECONOMICALLY INEFFICIENT "OLDEST FUEL FIRST" PICK-UP RULE, IT WAS CLEAR THAT FOR MANY UTILITIES AND POPULATIONS OF RATEPAYERS, CONTRIBUTIONS TO PAY FOR AN MRS WOULD BE FAR OUT OF PROPORTION TO ANY BENEFITS DERIVED FROM FUEL STORAGE AT THE MRS. FOR THIS REASON

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THE COMMISSION RECOMMENDED THAT ITS 5,000 METRIC TON "SON OF MRS" BE FUNDED ONLY BY CONTRIBUTIONS FROM THE UTILITIES THAT WOULD USE IT. I CAN ONLY IMAGINE THE DISAPPOINTMENT AT THE FEW UTILITIES WHICH HAD CALCULATED THE SUBSIDY TO THEIR PROGRAMS THAT A NUCLEAR-WASTE-FUND-FINANCED MRS WOULD REPRESENT.

- (3) THE CONGRESS HAS RESISTED ALL EFFORTS TO BREAK THE LINKAGES BETWEEN MRS AND REPOSITORY DEVELOPMENT WHICH WERE PUT IN PLACE IN THE 1987 AMENDMENTS TO THE NUCLEAR WASTE POLICY ACT. PROPONENTS OF DE-LINKING THE MRS FAILED IN ATTEMPTS TO INCLUDE LANGUAGE IN THE ENERGY POLICY ACT OF 1992. THE PERSISTENCE OF FAVOR FOR LINKAGES IN THE CONGRESS DASHES THE HOPES OF THOSE WHO THOUGHT THAT A VOLUNTEER SITED MRS COULD EMERGE FREE OF LINKAGES.

IT IS EASY TO SEE WHY THE MRS COMMISSION'S (5,000 METRIC TON), USER-FUNDED AND DELINKED MRS CONCEPT FOUND NO FAVOR WITH UTILITIES OR WITH THE CONGRESS.

- (4) IN THREE YEARS OF OPERATIONS THE OFFICE OF THE NUCLEAR WASTE NEGOTIATOR HAS BEEN UNSUCCESSFUL IN FINDING A WILLING HOST STATE FOR AN MRS. THE LATEST BAD NEWS FOR THE NEGOTIATOR IS SENATE APPROVED LANGUAGE IN THE ENERGY AND WATER APPROPRIATIONS BILL WHICH WILL HALT ANY PHASE IIB GRANTS TO STUDY THE FEASIBILITY OF MRS

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SITING UNLESS THE NEGOTIATOR CAN FIND A REASONABLE LIKELIHOOD THAT AGREEMENT CAN BE REACHED AMONG ALL RELEVANT GOVERNMENTAL OFFICIALS IN THE VICINITY OF ANY PROPOSED SITE. IF THIS LANGUAGE STANDS IN CONFERENCE COMMITTEE, LOOK FOR MOST, OR ALL, OF THE INDIAN TRIBES' MRS FEASIBILITY STUDIES TO FOLD.

- (5) A MAY, 1993 GENERAL ACCOUNTING OFFICE REPORT CRITICIZED THE HIGH-LEVEL WASTE MANAGEMENT PROGRAM FOR CONTINUING TO PURSUE THE DUAL PURPOSE OBJECTIVES OF REPOSITORY DEVELOPMENT BY 2010 AND WASTE ACCEPTANCE BY 1998, BOTH WHILE UNDER TIGHT BUDGETARY CONSTRAINTS. THE DOE RESPONSE TO GAO CORRECTLY DOWNPLAYED RESOURCE ALLOCATIONS TO MRS ACTIVITIES. THE NUCLEAR WASTE TECHNICAL REVIEW BOARD HAD BEEN CRITICAL OF DOE FOR SIMILAR REASONS IN THEIR MARCH, 1993 SPECIAL REPORT.
- (6) NO ARGUMENT CAN BE MADE THAT A LARGE FEDERAL STORAGE PROJECT WILL HELP US UNLOCK THE SECRETS OF THE ORIGIN OF THE UNIVERSE. IN FACT THE TECHNOLOGY IS CLOSE TO HUMDRUM. THE PROJECT WILL HAVE TO STAND ON THE USUAL PILLARS OF JUSTIFICATION, COSTS AND MEASURABLE BENEFITS. FINANCING WILL HAVE TO PASS THE ORDINARY TESTS OF FAIRNESS. THIS IS JUST WHERE THE MRS FAILED IN 1987 AND AGAIN IN 1989.

THERE IS NOT TIME IN MY 10 MINUTE ALLOCATION TO LAY OUT ALL OF THE TERMINAL MISERIES OF MRS. OUR TIME WOULD BE BETTER SPENT ON OPTIMIZING A SYSTEM OF AT-REACTOR STORAGE AND DEFINING A HELPFUL FEDERAL ROLE IN THAT ENDEAVOR.

SOME EXCELLENT PROGRESS IS ALREADY BEING MADE. TO HER GREAT CREDIT, SECRETARY O'LEARY HAS ALREADY RECOGNIZED THE POTENTIAL BENEFITS OF A MULTI-PURPOSE CANISTER SYSTEM. I HAVE NOT SEEN THE DEPARTMENT'S COMPLETE MPC CONCEPTUAL DESIGN REPORT, BUT IF THE MPC CONCEPT IS DEVELOPED WITH CARE IT COULD PROVIDE MANY OF THE SAME SYSTEM BENEFITS OF THE DUAL-PURPOSE CASK SYSTEM WHICH TENNESSEE ADVOCATED IN THE 1980'S.

CERTAINLY THE MPC WOULD REPRESENT FOR DOE THAT FIRST IMPORTANT STEP ACROSS THE FENCELINE AT UTILITIES. MUCH OF THE ORIGINAL JUSTIFICATION FOR AN MRS WAS PREDICATED UPON THE RECEIPT OF A SLEW OF HETEROGENEOUS CASKS REQUIRING HANDLING, ROD CONSOLIDATION AND RE-PACKAGING.

DURING THE 1980'S TENNESSEE WAS UNABLE TO CONVINCe DOE THAT LARGE SYSTEM BENEFITS COULD BE GAINED BY CROSSING THE UTILITY FENCE TO STANDARDIZE AND OPTIMIZE THE WASTE FORM. WE WERE BITTERLY DISAPPOINTED THAT THE MRS COMMISSION DID NOT FULLY RECOGNIZE AND PROMOTE THE POTENTIAL IN SUCH ENDEAVORS. IT HAS BEEN HEARTENING TO SEE THAT THE NUCLEAR WASTE TECHNICAL REVIEW BOARD AND OTHERS HAVE CONTINUED TO FIGHT FOR STANDARDIZATION AND

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OPTIMIZATION OF THE CONTAINER SYSTEM. OUR MUCH MALIGNED POSITION OF THE 1980'S MAY SOON BE VINDICATED.

LET ME URGE IN MY LAST GASP OF 10 MINUTES PLUS THAT WE NOT STOP WITH THE MPC CONCEPT ONCE INSIDE THE FENCE AT UTILITIES. DUST OFF THE 1992 FACILITY INTERFACE CAPABILITY ASSESSMENT (FICA) REPORT AND THE 1992 NEAR-SITE TRANSPORTATION INFRASTRUCTURE PROJECT FINAL REPORT. THESE REPORTS POINT OUT CASK HANDLING AND TRANSPORT IMPROVEMENTS WHICH ARE NEEDED TO INCREASE THE EFFICIENCY OF THE SPENT FUEL TRANSPORTATION SYSTEM. AS TENNESSEE DEMONSTRATED IN THE 1980'S THERE ARE SIGNIFICANT BENEFITS TO BE DERIVED BY MOVING SPENT FUEL ACROSS COUNTRY ON DEDICATED TRAINS IN VERY LARGE CASKS. WE CRITICIZED THE MRS CONCEPT BECAUSE THESE POTENTIALS WERE BEING IGNORED. PROPER USE OF THE MPC CONCEPT AND A SERIOUS LOOK AT FEDERAL PARTICIPATION IN AT-REACTOR UPGRADES IN HANDLING AND TRANSPORT CAPABILITY WOULD REPRESENT A MOST WELCOME CHANGE OF EMPHASIS IN THE NATION'S SPENT FUEL MANAGEMENT PROGRAM.