

Statement for the Record
Mr. Eric Howes
Director of Government & Public Affairs, Maine Yankee
Subcommittee on Clean Air and Nuclear Safety
Senate Committee on Environment and Public Works
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Good Morning Chairman Carper, Ranking Member Barrasso, and Members of the Subcommittee. I am Eric Howes, public and government affairs director at Maine Yankee. I appreciate the invitation to appear before you today on behalf of the Yankee Companies: the Maine Yankee Atomic Power Company, the Connecticut Yankee Atomic Power Company, and the Yankee Atomic Electric Company.¹

We and other owners of permanently shut down nuclear reactors that comprise the Decommissioning Plant Coalition (DPC)² worked closely with the Blue Ribbon Commission on America's Nuclear Future (BCR) to ensure it understood the unique impacts faced by our 6 sites, and the 3 other permanently shut-down reactor sites across the Nation.³

The Yankee Companies greatly appreciate the hard work of all the BRC Members and salute the co-Chairmen and the Commission for producing a thorough report that has many specific and achievable recommendations. We especially endorse those that are most directly achievable concerning the decommissioned sites:

- The prompt establishment of a voluntary, incentive-based siting program that would lead to the licensing of a consolidated interim storage facility (or facilities);
- The establishment of a “first in line” priority for the movement of spent fuel and other material being stored at permanently shutdown reactor sites to those licensed consolidated storage sites; and
- The prompt initiation of programs to coordinate federal, state and local efforts to plan for the transportation of this material to consolidated storage and disposal facilities.

¹ Connecticut Yankee, Yankee Atomic, and Maine Yankee are fully decommissioned nuclear power plants storing spent nuclear fuel and Greater than Class C waste generated during plant operations at their Independent Spent Fuel Storage Installations. The annual cost to operate the three sites is approximately \$24 million. Each Company also has ongoing litigation with the U.S. Department of Energy in federal court seeking an approximate total of \$440 million in monetary damages resulting from the DOE’s failure to fulfill its obligations to remove the spent nuclear fuel and Greater than Class C waste from the former plant sites for the years 1998-2008.

² Permanently shutdown plants represented by the DPC include: Big Rock (MI), Connecticut Yankee (CT), Dairyland (WI), Maine Yankee (ME), Rancho Seco (CA) and Yankee Rowe (MA).

³ In addition to the above, Humboldt Bay (CA), Trojan (OR) and Zion (IL) have ceased operation and are permanently shut down; a tenth, Ft. St. Vrain (CO) is licensed to the DOE.

We also agree with their call for Congress to create a new, single-purpose organization to implement a focused, integrated program for the transportation, storage and disposal of spent nuclear fuel and nuclear waste and to amend its budget rules so that this new organization would have assured access to the existing Nuclear Waste Fund and the revenues generated by annual payments to that fund. Underpinning and backstopping all of these recommendations is the panel's finding that the U.S. should continue to adhere to the international consensus regarding the ultimate need for deep geologic disposal of this material; and we concur in their judgment that the best means of accomplishing this goal will require the creation of a voluntary siting process that provides incentives to host localities and states.

In adopting its recommendation for voluntary siting approaches, the BRC took note not only of international siting efforts, but the success we enjoy with our Citizens Advisory Panels that help demonstrate how a community based process works to address issues in meaningful discussions that yields results. We appreciate that the Commission's Transportation and Storage Subcommittee, at the invitation of the Maine Yankee Community Advisory Panel, held an August 2010 meeting in Wiscasset, Maine that included a first hand look at a fully decommissioned reactor site that continues to exist only to store spent nuclear fuel until the federal government removes this material as required by contract and statute.

After examining multiple issues such as cost, security, equity and numerous other factors detailed in their report, the BRC agreed that it makes no sense to keep this material at former reactor sites scattered around the Nation.

New England ratepayers met their obligation to pay for the federal government to begin picking this material up in 1998 and it's time for the government to fix this program and put it on a footing that will lead to success in that mission.

Much work remains to be done to make the BRC recommendations a reality. DOE has formed an internal working group that is assessing the BRC's recommendations and developing a strategy for the safe and secure storage and management of used nuclear fuel that builds on the Commission's work. We are pleased to report our understanding that virtually all of the BRC recommendations as they relate to CIS are under active review and that the forthcoming strategy will likely build on the \$60 million for nuclear waste R&D included in the Department's budget request for FY '13; we note that the current budget request includes some preliminary evaluation of Consolidated Interim Storage (CIS) and related transportation issues -- focused initially on decommissioned nuclear reactor sites -- and the initiation of actions identified by the National Academy of Sciences 2006 transportation report Going the Distance.

We believe that FY '13 efforts should even more aggressively advance the resolution of issues identified in the BRC report that will affect the timely removal of material from permanently shutdown reactor sites. We are pleased to see that the Department has committed to restore funding for the regional transportation planning groups that have seen their budgets curtailed in recent years. Also, the

Department is now beginning site-specific assessments of the transportation readiness at these former reactor sites, and the procurement and construction needs for transportation infrastructure that includes shipping casks and appropriate rail cars. What is yet needed is the initiation of dialogue between the government and a partnership of local communities, state governments and industry in an effort to develop a consensus siting approach for both CIS and future repository facilities. These are examples of what should and can be sustained if we are going to be serious about the timely implementation of the BRC's recommendations.

CIS is a needed and important element of spent fuel management regardless of the decision on a repository for the material. First, it is important to our communities that the federal government at long last demonstrates its capability to fulfill its promises and commitments to remove this fuel from these communities. Second, the ratepayers and taxpayers must be relieved of the burden occasioned by that failure as they pay in turn, and in our localities twice, for the operating costs of on-site storage and the damages that result from the government's continuing failure. Third, these costs will only increase as this material remains on these individual sites for an indefinite period as new regulatory and research initiatives take effect; a repository will not be available for a significant period of time from now. Finally, CIS makes it possible to design a facility that maximizes security effectiveness and economies of scale and encourages and facilitates desired storage research efforts.

We are not alone in endorsing a priority for our sites for CIS. Among those supporting CIS are two organizations represented on this panel. The National Association of Regulatory Commissioners commented on June 29, 2011; "We fully concur that the spent fuel from decommissioned reactor sites should be first in line for shipment and storage at a new consolidated storage facility." Dr. Thomas B. Cochran, Senior Scientist for the Nuclear Program for the Natural Resources Defense Council testified before the Blue Ribbon Commission on May 25, 2010: "NRDC believes it makes sense to provide for consolidated dry storage of spent fuel from permanently shut down reactors that are not at sites with reactors still operational."

In addition, we note the support of such organizations as the New England Governors' Conference, the MIT Center for Advanced Nuclear Energy Systems, the Nuclear Energy Institute, the New England Council, the National Conference of State Legislators, the Nuclear Waste Strategy Coalition, the Government Accounting Office, The Keystone Center, the National Commission on Energy Policy, and the American Physical Society. We are also grateful for the enduring support for priority movement of our material to CIS of the many Members of Congress who represent districts and states where our sites are located.

Thank you for the opportunity to testify today, and I will be glad to answer any questions.