SAFE ENERGY SENRG RIGHTS GROUP

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Nancy S. Vann, President

June 12, 2019

The Honorable Frank Pallone
Chairman
House Committee on Energy & Commerce
U.S. House of Representatives
Washington, DC 20515

The Honorable Greg Walden
Ranking Member
House Committee on Energy & Commerce
U.S. House of Representatives
Washington, DC 20515

The Honorable Paul Tonko
Chairman
Subcommittee on Environment and
Climate Change
U.S. House of Representatives
Washington, DC 20515

The Honorable John Shimkus
Ranking Member
Subcommittee on Environment and
Climate Change
U.S. House of Representatives
Washington, DC 20515

Dear Chairman Pallone, Ranking Member Greg Walden, Subcommittee Chairman Tonko and Subcommittee Ranking Member Shimkus:

Safe Energy Rights Group is writing today in regard to the June 13, 2019 Energy & Commerce Committee Sub-Committee on Environment and Climate Change (the "Committee") hearing "Cleaning Up Communities: Ensuring Safe Storage and Disposal of Spent Nuclear Fuel" (the "Hearing").

During their remarks at a Congressional Briefing on May 13, 2019 (*see* Environmental and Energy Study Institute website at: https://www.eesi.org/briefings/view/051319nuclear) former Nuclear Regulatory Commission ("NRC") Chairman Gregory Jaczko and retired Rear Admiral Len Hering both cautioned against the use of any interim storage facility, stating that such facility would likely become a *de facto* permanent site.

In addition, Admiral Hering stated that, "Of the 10 clear requirements established under [NRC Regulatory Regulation Title X Part 72], the thin wall [Holtec] container *only* provides a surety of 1. And the system used to transport and load those containers into their storage has extremely high likelihood of scratching, denting, or gouging the wall of that container, which, from a metallurgical perspective, provides for the opportunity for severe corrosion problems, which ultimately result in a potential breach of that container . . . [and] a former engineer revealed that, had it been known this potential existed, they would have never approved it. What that tells me, is they have put into place a system for the movement of a 54-ton container that they had not tested, evaluated, or, in fact, seen. These thin wall containers have no internal monitoring and no capability to be currently offloaded or transported – a specific requirement of Title X."

So, the first problem that must be addressed is the vulnerabilities in the design and regulation of dry storage systems currently being used. To be at all suitable for transportation, highly radioactive, irradiated nuclear fuel waste ("nuclear fuel waste") storage systems must be designed, fabricated and maintained to prevent both short-term and long-term radioactive leaks. The NRC does not require this.

There may not be any truly safe method for storing nuclear fuel waste for the millennia during which it will be dangerous. However, all approved canisters/casks must at the very least:

- be capable of being inspected and being repaired if necessary;
- be made using the best available materials;
- incorporate continuous radioactive monitoring;
- be designed so that the nuclear fuel waste can be retrieved and transferred to other containers if necessary;
- and be based on the best available current technologies and procedures with proven capacities to protect the American public.

Strict standards for the cooling of the nuclear fuel waste prior to loading must also be developed, taking into consideration the differences between conventional fuel and 'high-burnup' fuel and the effects of both on cannister/cask integrity. Those standards should be based on current expert research – not on the most profitable timetable for the plant operator or successor licensees.

The Indian Point nuclear plant, located in my congressional district #17, already has nuclear fuel waste stored in 32 Holtec 'HI-STORM 218' and 32 Holtec 'HI-STORM IP1' containers. This nuclear fuel waste must be transferred to a more adequate system as an initial step. Transportation without dealing with the container and fuel loading problems is potentially catastrophic. Until these and other problems are resolved, there can be no safe process for relocating commercial nuclear waste from reactor sites to any other site – much less to a 'temporary' site and then to a permanent one.

The Committee is urged to issue guidance requiring the NRC to ensure that spent nuclear fuel containers and loading processes meet the above standards and resolve the above issues. In addition, no waivers of these essential safety standards should be allowed.

We hope that you will enter these comments into the Hearing record. Thank you in advance for your consideration to this request.

Regards,

Nancy S. Vann

Nancy S. Vann, President
Safe Energy Rights Group, Inc.

cc: Members of the House Energy & Commerce Committee, Subcommittee on Environment and Climate Change