

Union of Concerned Scientists  
1825 K St, NW Ste. 800  
Washington, DC 20006

June 7, 2017

Elena Brennan  
Legislative Clerk  
Committee on Energy and Commerce  
2125 Rayburn House Office Building  
Washington, DC 20515

Dear Ms. Brennan,

Please find attached my responses below to the questions for the record of the hearing entitled “H.R. \_\_, The Nuclear Waste Policy Amendments Act of 2017,” held by the Subcommittee on Environment on April 26, 2017. On behalf of the Union of Concerned Scientists, I would like to thank the members of the Subcommittee once again for the invitation to testify.

Sincerely,

A solid black rectangular box redacting the signature of Dr. Edwin S. Lyman.

Dr. Edwin S. Lyman  
Senior Scientist  
Union of Concerned Scientists

The Honorable John Shimkus

**1. The discussion draft includes the policy known as “linkage” that requires the completion of the Yucca Mountain licensing by the NRC as a means to assure that storage activities do not compete or supplant the requirement for permanent disposal.**

**a. Does Union of Concerned Scientists support “linkage” as a policy mechanism to assure interim storage does not become *de facto* disposal?**

Yes.

**b. What other approaches to linkage could be pursued other than the policies proposed in the discussion draft?**

The Union of Concerned Scientists (UCS) supports an approach to linkage similar to that embodied in the Nuclear Waste Policy Act. Siting of a DOE-owned or DOE-funded consolidated interim storage facility should be prohibited until a geologic repository site is established, and construction of an interim storage facility should not begin until the repository is licensed to operate.

However, there are weaker linkages that may be sufficient in the context of a comprehensive national strategy for spent fuel management and disposal. Bills such as those introduced by former Senator Jeff Bingaman of New Mexico would have linked development of an interim storage facility to substantial progress in the establishment of a geologic repository. There are interim milestones short of final repository licensing that could be considered, provided that they represent “substantial progress” with a high degree of assurance. The effectiveness of such milestones in preventing any interim storage site from becoming a *de facto* permanent site would depend on the details of the overall waste management strategy.