News from Beyond Nuclear
For Immediate Release, Oct. 1, 2015

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U.S. Representative John Shimkus (Republican-IL-15th District), the Chairman of the Environment and the Economy Subcommittee, a top congressional advocate for opening the Yucca dump, responded. Rep. Shimkus asked another hearing witness, Mr. Kelly Horn, Co-Chairman of the Midwestern Radioactive Materials Transportation Committee, and Head of Environmental Management for the Illinois Emergency Management Agency’s Bureau of Radiation Safety, if he or his agency would ever grant approval for highly radioactive irradiated nuclear fuel shipments to be routed within a quarter-mile of the Art Institute of Chicago. Mr. Horn replied that he and his agency would not.

Rep. Shimkus appeared vindicated by the response. Mr. Kamps of Beyond Nuclear was not given an opportunity to respond during the remainder of the hearing.

“Representative Shimkus should review the U.S. Department of Energy’s route maps for its Yucca dump transportation plans,” Kamps said after the hearing.

DOE’s Office of Civilian Radioactive Waste Management published the “Final Environmental Impact Statement for a Geologic Repository for the Disposal of Spent Nuclear Fuel and High-Level Radioactive Waste at Yucca Mountain, Nye County, Nevada” in February 2002 (DOE/EIS-0250). In Volume II, Appendix J (Transportation), Figure J-42 on Page J-163 shows a map of “Highway and rail routes used to analyze transportation impacts – Illinois”. The map has been reproduced below. Table J-82 on Page J-162, “Estimated transportation impacts for the State of Illinois,” shows that under DOE’s preferred, “mostly rail” shipping scheme, up to 7,027 train car loads of irradiated nuclear fuel could roll through the state, bound for Yucca.

Robert Halstead, now Executive Director of the State of Nevada Office of the Governor’s Agency for Nuclear Projects, Nuclear Waste Project Office, previously served that same agency as Transportation Advisor. In an on-camera interview, Halstead took a television reporter to those very train tracks, within a quarter-mile of the Art Institute of Chicago, and explained the numerous safety and security risks of shipping high-level radioactive waste through major metropolitan areas, like downtown Chicago.

“Mr. Horn’s answer to Representative Shimkus’s question is also problematic,” Kamps said after the hearing. “Whether it’s federal pre-emption, or the Interstate Commerce
Clause of the U.S. Constitution, you better believe DOE and the railway companies have the political and legal power to ship high-level radioactive waste on those train tracks, whether the State of Illinois likes it or not – in fact, DOE has made it very clear that it intends to do so, as part of its Yucca dump plan.”

In his written testimony, Mr. Horn of the IL Emergency Management Agency stated, “From a regulatory standpoint, rail routing of large quantity radioactive materials such as spent nuclear fuel is treated differently from highway routing. States were given highway routing designation authority in part because it is the state’s responsibility to protect and serve its citizens. Because of the private ownership of rail lines, states don’t have this same authority over rail shipments. States should be included in discussions with DOE and the railroads over which routes will be used for shipments.” (emphasis added)

(Links to witnesses’ written testimonies, as well as a video of the hearing, is posted at the committee website: http://energycommerce.house.gov/hearing/transporting-nuclear-materials-design-logistics-and-shipment)

“While I wholeheartedly agree that the State of Illinois should have the right and power to ban high-level radioactive waste shipments from traveling within a quarter-mile of the Art Institute in downtown Chicago, unfortunately it does not,” Kamps stated. “The potential for such unacceptable risk-taking by DOE and the railroads should invigorate the people of Chicago, and the rest of Illinois, to resist congressional efforts to grant a green light to the Yucca dump, or centralized interim storage parking lot dumps for that matter,” Kamps added.

In fact, applicable federal laws and regulations allow any main line rail in the U.S. to be used for irradiated nuclear fuel and high-level radioactive waste shipping, as DOE has planned to do in downtown Chicago.

Kamps also raised the risk of “dirty bomb on wheels” terrorist attacks on high-level radioactive waste shipments. He pointed to a 1998 test of a TOW anti-tank missile against a German CASTOR shipping cask, conducted at the U.S. Army’s Aberdeen Proving Ground. A NIRS fact sheet, posted online at <http://www.nirs.org/factsheets/nirsfctshtdrycaskvulnerable.pdf>, documents that a hole, several inches across, was blown clean through the 15-inch, die cast iron wall of the cask. This would, combined with an incendiary, provide the pathway for disastrous amounts of hazardous radioactivity, such as volatile Cesium-137, to escape into the environment and blow downwind with the smoke.

Rep. Shimkus – who explained that TOW stood for "Tube-launched, Optically-tracked, Wire-Guided" -- responded by saying he had personally fired a TOW missile, and that they are challenging to operate, which would make it difficult to successfully deploy in a terrorist attack on a moving high-level radioactive waste shipment.

However, TOW missiles, designed to be used against tanks, have an operational range of up to over 2.5 miles, and a speed of around 670 miles per hour. TOW missiles are
designed to destroy tanks, such as the Soviet designed T-72 tank, capable of speeds of up to 37 miles per hour.

“In order to be prepared against the risk of terrorist attacks on high-level radioactive waste shipments, we have to at least assume that attackers in possession of TOW anti-tank missiles would be trained to use them,” Kamps said.

Large numbers of TOW anti-tank missiles are reported to be in circulation on the international black market. And, as Rep. Shimkus acknowledged during today’s hearing, more advanced weapons systems have also been developed since the TOW’s introduction, 45 years ago.

(See map below.)
Figure J-42. Highway and rail routes used to analyze transportation impacts - Illinois.