

March 20, 2017

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RE: Response to DWR RFC

The Alliance for Nuclear Accountability (ANA) is a national network of 31 organizations working to address issues of nuclear weapons production and waste cleanup. The organizations include community groups affected by and involved with Department of Energy (DOE) high-level waste (HLW) and spent nuclear fuel (SNF) facilities – Hanford, WA; Savannah River Site (SRS), SC; and Idaho National Lab (INL). Consequently, ANA is very interested in the DOE plans for safely storing those nuclear wastes, which should be the focus of DOE's planning and waste management activities.

ANA and its member groups are very concerned about worker and public health and safety related to HLW and SNF. ANA strongly supports HLW stabilization and the development of environmentally compliant tanks at Hanford. ANA supports safe and secure on-site storage of HLW and SNF.

The Plan Is Premature and Inappropriate and Must Be Withdrawn

Given our views and the experience of working on DOE nuclear wastes for decades, ANA is very disappointed in the *Draft Plan for a Defense Waste Repository*, which “describes a path for development of a Defense Waste Repository (DWR) for the permanent disposal of all or a portion of defense waste.” ANA opposes the Draft Plan as being premature and inappropriate.

DOE efforts to proceed with a DWR are premature because very little of the waste is in a form in which it could be disposed, even if there were a repository. Further, even if the approximately 4,000 canisters that have been processed at the Defense Waste Processing Facility (DWPF) at SRS are considered to be the final disposal form, the transport package is not known. However, the Draft Plan itself acknowledges that there are more canisters to be generated at DWPF than the number that have been filled. Of course, none of the 55 million gallons of liquid HLW at Hanford have been solidified, nor will they be for decades because of the history of technical, budget, and schedule problems at the under construction Waste Treatment Plant. None of the HLW at INL is in final disposal form. Given the worker and public health and safety and environmental risks posed by HLW and DOE's poor performance in safely managing and storing that waste, the focus must be research and implementation of safe storage of HLW.

Regarding SNF, none of the Navy or DOE SNF is in final disposal form. Current U.S. policy is to continue to create more Navy SNF indefinitely. Thus, no Defense repository could be designed and operated for an unknown volume of Navy SNF for the indefinite future.

Any Siting Process Is Premature

Without knowing the final forms and packages for HLW and SNF disposal, it is also premature to proceed with “consent-based siting” because communities, tribes, and states could not know to what they are consenting, nor what the technical standards for a “suitable” site would be. There is no basis to believe that any community, tribe, or state would give “consent” to proceeding with an open-ended repository program, which is essentially what the Draft Plan seeks. ANA's experience has been that DOE is not able to operate safe and environmentally compliant facilities. Nor does DOE have a history of meeting budget estimates, construction schedules, and legal milestones for its facilities.

Benefits and Costs Should Be Better Understood Before Continuing With This Plan

A recent GAO report (*NUCLEAR WASTE: Benefits and Costs Should Be Better Understood Before DOE Commits to a Separate Repository for Defense Waste*, GAO-17-174, January 2017) concluded that benefits and costs should be better understood before DOE commits to this separate repository for defense waste. GAO found that the DOE cost estimates were not reliable. A more reliable cost analysis might show that a separate defense site would not save money and therefore would not be desirable. President Obama made a decision that potentially commits the nation to spending tens of billions of dollars and decades of work without the level and type of information federal agencies need to justify key decisions and inform decision makers.

DOE's estimates did not include the costs for Site Selection, Site Characterization, or Waste Transportation. GAO stated that a significant portion of the cost estimates for treating defense HLW is preparing the waste in forms and storage containers that would fit a full range of potential geologic media. However, if the uncertainty of geologic media is removed by siting a repository early, DOE could tailor waste forms and storage containers to a specific type of geology.

The information DOE provided to President Obama did not discuss the potential budgetary impact of a defense repository funding needs—up to \$1.7 billion per year over several years—on other defense programs managed by DOE. While a combined repository would be paid for mostly with fees collected from commercial nuclear power surcharges, the cost of a separate defense waste repository likely would come from the same defense sources as environmental cleanup money.

DOE did not develop reliable schedule estimates. DOE's goal to open a commercial SNF repository by 2048 and a defense HLW repository even sooner appears optimistic.

We request that DOE comply with the GAO's recommendations:

1. The Secretary of Energy should direct the Office of Nuclear Energy to conduct a comprehensive assessment, which adheres to OMB guidance and best practices, of the benefits, costs, and schedules of the options it reviewed and provided to the President in 2015, and, in light of the new information and results of its assessment, revise—if needed—the report's conclusion that a strong basis exists to find that a defense HLW repository is required.
2. The Secretary of Energy should direct the Office of Nuclear Energy to reassess its decision to engage in discussions with potential host communities, screen sites, or conduct other site selection activities.

DOE History Causes Concerns

DOE's track record at its only repository – the Waste Isolation Pilot Plant (WIPP) – does not provide confidence in the Department's ability to site and safely operate a Defense HLW/SNF repository. WIPP was to "start clean, stay clean" as a transuranic waste repository. It has failed that mission with significant contamination of the underground which cannot be cleaned up. As a result, WIPP was shut down for three years and will receive only limited amounts of waste over the next several years.

We Recommend That DOE Change Its Focus

Because it is premature to proceed with a DWR, it is inappropriate to spend funds, personnel, and management attention on the Draft Plan. DOE should cease efforts to prepare a draft plan and activities for a DWR. Instead, DOE should focus on:

- Requesting funding for and planning for new environmentally compliant tanks at Hanford to address current and future leaking tank problems.

- Improving the safety practices at Hanford and prevent further worker exposures to vapors and excessive amounts of radioactivity.
- Addressing the continuing problems of operating the Integrated Waste Treatment Unit at INL.
- Improving the processing rate at DWPF and meeting tank closure milestones in order to meet the most urgent environmental threat at SRS.

ANA further recommends that DOE post on its website all of the comments that it receives about the Draft Plan, provide its responses, and terminate the planning process for the DWR until the issues identified are successfully addressed.

Thank you for your consideration and response.

Sincerely,
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Alliance for Nuclear Accountability

Beyond Nuclear

Colorado Coalition for the Prevention of Nuclear War

Concerned Citizens for Nuclear Safety

Fernald Residents for Environmental Safety and Health

Georgia WAND (Women's Action for New Directions)

Hanford Challenge

Heart of America Northwest

Institute for Energy and Environmental Research (IEER)

JustPeace

Lawyers Committee on Nuclear Policy

Miamisburg Environmental Safety and Health

Movement for Nuclear Safety

Nuclear Age Peace Foundation

Nuclear Watch South

Nuclear Watch New Mexico

Oak Ridge Environmental Peace Alliance

Peace Action

Peace Farm

PeaceWorks Kansas City

Physicians for Social Responsibility

Portsmouth/Piketon Residents for Environmental Safety and Security

PSR Kansas City

Psychologists for Social Responsibility

Rocky Mountain Peace and Justice Center

Savannah River Site Watch

Snake River Alliance

Southwest Research and Information Center

Tri-Valley CAREs (Communities Against a Radioactive Environment)

WAND (Women's Action for New Directions)

Western States Legal Foundation

Women's International League for Peace and Freedom