

October 11, 2017

Dear Representative:

On behalf of our millions of members, the undersigned organizations urge you to oppose H. R. 3053, the “Nuclear Waste Policy Amendments Act of 2017” (115th Congress, 1st Session). This bill will put our nation’s nuclear waste storage policy on the wrong track yet again. It ignores environmental concerns, states’ rights and consent to host the waste in the first instance, and attempts to truncate public review in order to force a “solution” – either Yucca Mountain or a new consolidated interim storage site – that have both proven to be unworkable. Rather than blindly charge forward at the cost of public safety and public resources, we urge Congress to reject this bill and start the important and necessary work on a comprehensive set of hearings to commence building a publicly accepted, consent based repository program.

The bill you will vote on retains the flaws contained in its earlier forms. Some of these harms include unwise efforts to recommence the licensing process for proposed repository at Nevada’s Yucca Mountain. This is a project certain to fail the NRC’s licensing process due to the geology and hydrology of the site that make it unsuitable for isolating spent nuclear fuel for the required time. Next, the draft legislation suggests going forward with a consolidated storage proposal before working out the details of a comprehensive legislative path to solve the nuclear waste problem, entirely severing the link between storage and disposal, and thus creating, an overwhelming risk that an interim storage site will determine or function as de facto final resting place for nuclear waste. The draft provides no safety, environmental or public acceptance criteria, only speed of siting and expense. This is precisely the formula that produced the failure of the Yucca Mountain process and made it, as the previous administration noted, “unworkable.”

Other provisions conflict with the well-established and necessary requirements of the National Environmental Policy Act, 42 U.S.C. §4321, *et seq.* Doing so exacerbates the public interest community’s (and that of Nevada) objection of the last two decades – that the process of developing, licensing, and setting environmental and oversight standards for the proposed repository has been, and continues to be, rigged or weakened to ensure that the site can be licensed, rather than provide for safety over the length of time that the waste remains dangerous to public health and the environment.

This bill was largely changed for the worse in committee. The bill now sets us on path to go forward in the next few years with a consolidated storage proposal before working out the details of a comprehensive legislative path to solve the nuclear waste problem and, frankly, creates an overwhelming risk that an interim storage site in New Mexico, Utah, or even Texas (although the Texas site just requested that its license application be held in abeyance) will be the de facto final resting place for nuclear waste.

This will not work. It is likely those states will, in some form or another, resist being selected as the dumping ground for the nation's nuclear waste without a meaningful consent based process and regulatory authority that garners both public acceptance and a scientifically defensible solution. Further, and also just as damning, it sets up yet another attempt to ship the waste to Yucca Mountain irrespective of its certain likelihood of failing the regulatory process, or seek to revive the licensed Private Fuel Storage site that has been strongly opposed in Utah or even open up New Mexico's Waste Isolation Pilot Plant (WIPP) facility for spent nuclear fuel disposal despite strong opposition and contrary to 25 years of federal law. The latter site also was designed and intended for nuclear waste with trace levels of plutonium, not spent fuel (and we note, a site that has already seen an accident dispersing plutonium throughout the underground and into the environment, contaminating 22 workers, and thus the site was functionally inoperable for years). All of this runs precisely counter to the core admonition of the previous administration's [Blue Ribbon Commission on America's Nuclear Future](#) ("BRC") that "consent" come first.

The waste will not be going anywhere for years and it should be incumbent on Congress to fix problems in a meaningful fashion, not attempt an expedient solution that is destined to fail, again.

Our concerns, many of which were detailed above or in earlier letters, remain. We would be pleased to work with any representative on a feasible, constructive path forward, but this legislation would put the nation's nuclear waste storage policy on the wrong track yet again and we urge you to reject it. Thank you for your consideration of our views.

Sincerely,

350NYC

Alliance for a Green Economy

Alliance for Environmental Strategies

Alliance to Halt Fermi 3

Baltimore Nonviolence Center

Basin and Range Watch

Bellefonte Efficiency & Sustainability Team; Mothers Against TN River Radiation

Beyond Nuclear

California Communities Against Toxics

Cape Downwinders

Chesapeake Physicians for Social Responsibility

Citizen Action New Mexico

Citizen Power

Citizens Awareness Network

Citizens' Environmental Coalition

Citizens for Alternatives to Radioactive Dumping

Citizens' Resistance at Fermi 2 (CRAFT)
Coalition for a Nuclear Free Great Lakes
Code Pink: Women for Peace
Concerned Citizens for Nuclear Safety
Concerned Citizens for SNEC Safety
Council on Intelligent Energy & Conservation Policy
Crabshell Alliance
CT Coalition Against Millstone
Don't Waste Arizona
Don't Waste Michigan
Ecological Options Network (EON)
Energía Mía
Energy Justice Network
Environmental Defense Institute
Environmental Working Group
Fairmont, MN Peace Group
Food & Water Watch
Friends of the Earth
Georgia Women's Action for New Directions (Georgia WAND)
Grandmothers Mothers and More for Energy Safety
Great Lakes Environmental Alliance
Green State Solutions, Iowa
Hip Hop Caucus
Hudson River Sloop Clearwater
Indian Point Safe Energy Coalition
Indigenous Rights Center
League of Conservation Voters
League of Women Voters of the United States
Los Alamos Study Group
Mankato Area Environmentalists
Michigan Safe Energy Future, Kalamazoo MI Chapter
Michigan Safe Energy Future, Shoreline Chapter
Missouri Coalition for the Environment
Multicultural Alliance for a Safe Environment
Natural Resources Defense Council
Nevada Nuclear Waste Task Force
New England Coalition on Nuclear Pollution
No Nukes NW
North American Climate, Conservation and Environment (NACCE)
North American Water Office
Northwest Environmental Advocates
Nuclear Age Peace Foundation
Nuclear Energy Information Service
Nuclear Free World Committee; Dallas Peace and Justice Center
Nuclear Information and Resource Service
Nuclear Issues Study Group

Nuclear Watch New Mexico
Nuclear Watch South
Nukefree.org
Nukewatch
On Behalf of Planet Earth
OurRevolution Ocala
Partnership for Earth Spirituality
Peace Action
Peace Action of Michigan
Physicians for Social Responsibility
Physicians for Social Responsibility – Chesapeake
Physicians for Social Responsibility – Kansas City
Physicians for Social Responsibility – Los Angeles
Physicians for Social Responsibility – Oregon
Physicians for Social Responsibility – San Francisco Bay Area Chapter
Pilgrim Legislative Advisory Coalition PLAC
Pilgrim Watch
Portsmouth/Piketon Residents for Environmental Safety and Security (PRESS)
Proposition One Committee
Public Citizen
Public Health and Sustainable Energy (PHASE)
Public Watchdogs
Radiation and Public Health Project
Radiation Truth
Redwood Alliance
Residents Organized for a Safe Environment
Riverkeeper
ROAR (Religious Organizations Along the River)
Rocky Mountain Peace and Justice Center
Safe Utility Meters Alliance NW (SUMA-NW)
San Clemente Green
San Luis Obispo Mothers for Peace
San Onofre Safety
Sierra Club
Snake River Alliance
Southern Alliance for Clean Energy
Southwest Research and Information Center
Stand Up/Save Lives Campaign
Straits Area Concerned Citizens for Peace, Justice and the Environment (SACCPJE)
Support and Education for Radiation Victims (SERV)
Sustainable Energy & Economic Development (SEED) Coalition
Task Force on Nuclear Power, Oregon and Washington Physicians for Social
Responsibility
Tennessee Environmental Council
Tewa Women United
Texas River Revival

The Colorado Coalition for Prevention of Nuclear War
The Lands Council
The Nuclear Resister
The Peace Farm
Thomas Merton Center
Toledo Coalition for Safe Energy
Tri-Valley CAREs (Communities Against a Radioactive Environment)
Uranium Watch
UUFHC (Unitarian Universalist Fellowship of Harford County)
Vermont Citizens Action Network
Vermont Yankee Decommissioning Alliance
Veterans For Peace Golden Rule Project
Western States Legal Foundation