May 7, 2018

Dear U.S. Representative,

This letter is written to urge you, in the strongest possible terms, to vote **NO on H.R. 3053**, the Nuclear Waste Policy Amendments Act of 2018. For the sake of your constituents’ health, safety, security, environment, property values, and pocketbooks, I hope you will take the enclosed matters under serious consideration, vote no on H.R. 3053, and urge your House colleagues to do the same.

On Oct. 1, 2015, I had the honor and privilege to testify before the U.S. House Subcommittee on the Environment and the Economy, the very subcommittee from which H.R. 3053 has emerged. (Please see my “Opening Remarks,” as well as my full written testimony, posted online at: [http://www.beyondnuclear.org/waste-transportation/](http://www.beyondnuclear.org/waste-transportation/). The bill is now headed to the House floor for a vote. What’s most unfortunate, and dangerous, is that the warnings I presented, about the risks of irradiated nuclear fuel and high-level radioactive waste transportation, have gone largely to entirely unheeded in the drafting of H.R. 3053.

That hearing was very telling. The chairman of the subcommittee, and the sponsor of H.R. 3053, Rep. John Shimkus (R-IL), challenged my testimony that Yucca Mountain-bound shipments of irradiated nuclear fuel would travel through the Chicagoland area, and would be vulnerable to intentional attack, as by a TOW anti-tank missile. (Re: the vulnerability of shipping casks to such an attack, see [http://archives.nirs.us/factsheets/nirsfctshtdrycaskvulnerable.pdf](http://archives.nirs.us/factsheets/nirsfctshtdrycaskvulnerable.pdf) -- a fact sheet about a test conducted at the U.S. Army’s Aberdeen Proving Ground, using a TOW missile against an irradiated nuclear fuel shipping cask. More advanced anti-tank weaponry, as well as shaped charges, would represent even greater threats than TOWs.)

Shipping route maps, prepared by a consultant to the State of Nevada Agency for Nuclear Projects (Dr. Fred Dilger), based upon U.S. Department of Energy (DOE) computer modeling and Environmental Impact Statements (EIS), show clearly that -- not only IL, but 43 other states in the Lower 48; and not only Chicago, but dozens of other major cities across the U.S.; as well as the vast majority (330, to be exact) of U.S. congressional districts -- would be directly impacted by 12,145 truck and/or train shipments of irradiated nuclear fuel bound for Nevada, if H.R. 3053 becomes law. See these documents posted online here: [http://www.state.nv.us/nucwaste/whatsnew.htm](http://www.state.nv.us/nucwaste/whatsnew.htm). Please check your district in these documents, but note that districts not directly crossed would still be at risk of downwind and/or downstream fallout of catastrophic releases of hazardous radioactivity, in the event of a severe accident or terrorist attack that breaches the shipping container. I’ve attached a continental U.S. map showing road and rail routes bound for Yucca. I’ve also attached a map showing shipments through your state, as applicable.

Note that H.R. 3053 would not only expedite the opening of the scientifically unsuitable, environmentally unjust, illegal (it would violate the “peace and friendship” Treaty of Ruby Valley, signed by the U.S. government with the Western Shoshone Indian Nation in 1863), and inequitable (East dumps on West) Yucca dump. It would also authorize the opening of proposed centralized interim storage facility (CISFs), targeted at such locations as: Waste Control Specialists, LLC (WCS), Andrews County, TX; Holtec/Eddy-Lea [Counties] Energy Alliance (ELEA), NM; Private Fuel Storage, LLC (PFS), on the Skull Valley Band of Goshutes Indian Reservation in UT; and perhaps even, as Energy Secretary Rick Perry floated last year at a House budget committee hearing, the Nevada Test Site itself. However, other sites, including in the east – such as at the Dresden nuclear power plant in Morris, IL – could also be targeted for Monitored Retrievable Storage (MRS, as CIS is referred to in H.R. 3053).
CIS/MRS would multiply transport risks, for the irradiated nuclear fuel would have to be moved again to a permanent repository, some decade, or century, in the future. If this does not happen, CISFs would become, by default, *de facto* permanent, surface storage, “parking lot dumps.” As the dry casks degraded with age, they would release their contents, as DOE warned in its 2002 Yucca Mountain EIS. At WCS, that would endanger the Ogallala Aquifer, North America’s largest, providing vital drinking and irrigation water to the following eight states on the Great Plains: CO, KS, NE, NM, OK, SD, TX, and WY.

And at 173,600 metric tons, the Holtec/ELEA CISF would dwarf even the Yucca dump’s 70,000 metric tons, including regarding transportation impacts in most states in the Lower 48 (17,360 shipments, as opposed to 12,145).

Please note that in addition to the road and rail routes, bound for the proposed Yucca dump, or “parking lot dumping” in any of multiple states, there is also the potential for barge shipments of irradiated nuclear fuel on surface waters. These include: Lake Michigan (the drinking water supply for many tens of millions, including in Chicagoland); Chesapeake Bay; James River, VA; Delaware Bay; the Hudson River, Long Island Sound, and the Jersey Shore, in and around metro New York City; Cape Cod, Massachusetts Bay, and Boston Harbor; the Mississippi, Missouri, and Tennessee Rivers; CA’s Pacific coast; and FL’s Atlantic coastline. For more info., see: [http://www.beyondnuclear.org/waste-transportation/2017/6/29/potential-barge-routes-on-us-surface-waters-to-ship-high-lev.html](http://www.beyondnuclear.org/waste-transportation/2017/6/29/potential-barge-routes-on-us-surface-waters-to-ship-high-lev.html)

Making these shipping risks all the more objectionable, is the fact that the targeted destinations – in NV, NM, TX, UT, IL, etc. – all violate basic principles for safe, sound high-level radioactive waste management, storage, and disposal: consent-based siting; environmental justice; legality; cost-benefit analyses; regional equity; and scientific suitability.

My Oct. 1, 2015 congressional testimony was not the first such warning about shipping risks. In fact, warnings about the risks of Mobile Chernobyls, Dirty Bombs on Wheels, and Floating Fukushimas, extend back decades. As the 2002 Public Citizen fact sheet “Everyone knows that accidents happen” reported, shipping cask design criteria are woefully inadequate to defend against real world accident conditions, such as high-temperature, long-duration fires; long-duration, deep underwater submersions; and high-speed crashes into immovable objects, such as bridge abutments. And in the 2006 Public Citizen backgrounder “Challenging Prerequisites for Safe Transport of Irradiated Nuclear Fuel Identified in NAS Study,” security vulnerability was, and is, yet unresolved (see [https://www.citizen.org/sites/default/files/nastransportstudy.pdf](https://www.citizen.org/sites/default/files/nastransportstudy.pdf)). The woefully inadequate shipping cask regulatory requirements, and the warnings by the National Academies of Science, have not been addressed or rectified in the past 10-15 years! Quality assurance violations make the risks even greater (as re: Holtec containers, the basis of the ELEA, NM and PFS, UT “parking lot dump” schemes).

And it doesn’t even take an accident. These shipments would be like Mobile X-Ray Machines That Can’t Be Turned Off, emitting hazardous gamma and neutron radiation doses as they travel through communities. See the enclosed graphic depiction of the penetrating power of such radiation. External shipping cask contamination will make such does rates all the worse. The U.S. has had 49 such contaminated shipments, from 1949-1996.

If H.R. 3053 is so very dangerously misguided, what are some reasonable alternatives? As the environmental movement has also been advocating for 15+ years, Hardened On-Site Storage (HOSS), as close to the point of generation of irradiated nuclear fuel as possible, is an urgently needed safety, security, health, and environmental protection upgrade. Please see: NEIS of Chicago’s “H.O.S.S. It” fact sheet; a schematic representation of HOSS; the “Statement of Principles for Safeguarding Nuclear Waste at Reactors,” for the groups in your state long endorsing HOSS; and the “Robust Storage” report by Dr. Gordon Thompson (all posted online here: [http://www.beyondnuclear.org/on-site-storage/2018/1/18/what-does-hoss-mean.html](http://www.beyondnuclear.org/on-site-storage/2018/1/18/what-does-hoss-mean.html) ). Even if the Yucca dump could be opened today (and DOE has admitted, it can’t open before 2048!), DOE has acknowledged it would take 24-48 years to move the waste there. That means that irradiated nuclear fuel risks will persist at reactor sites for decades to come. They must be addressed by HOSS. We urge you to **please vote against H.R. 3053.**

Sincerely,

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