



Alliance for Nuclear Accountability

July 28, 2016

The Alliance for Nuclear Accountability (ANA) is a national network of organizations working to address issues of nuclear weapons production and waste cleanup. <http://www.ananuclear.org/> Many ANA groups are neighbors of Department of Energy (DOE) sites and are directly affected by operations and contamination from those sites. Thus, we have a long history of dealing directly with DOE and its contractors and the nuclear wastes that have been created from nuclear weapons research, development and production for more than 70 years.

ANA opposes the generation of more nuclear or hazardous wastes because of the current and future harm they may cause to human health and the environment. ANA also recognizes that current “modernization” plans, which ANA opposes, include continuing nuclear weapons production for decades to come, along with the resulting waste and contamination. Creating unknown amounts and types of contamination also prevents the development and implementation of a comprehensive program for all waste.

Despite the burden of past contamination and insufficient cleanup efforts, DOE sites are being targeted for expanded missions, including storage or disposal of commercial spent nuclear fuel. The new DOE strategy apparently also targets DOE sites for the defense high-level waste repository. ANA does not consent to such proposals.

ANA strongly opposes Yucca Mountain, which was not selected through a technically sound, publicly accepted process. Thus, we agree with the State of Nevada and others that time and money on that site and its licensing should cease. Nevada’s non-consent to Yucca Mountain should be recognized and respected. In any consent process, it is also essential to respect non-consent.

Instead, ANA supports interim stabilization and isolation of high-level waste and spent fuel as close as possible to the point of origin in a manner that maximizes

worker, public, and environmental protection. Thus, ANA opposes consolidated commercial spent fuel storage away from reactor sites, which is **dangerous** because of the additional handling and transportation, **expensive** because it adds its own unneeded costs, and **unnecessary** because waste can remain at existing locations for decades. For commercial spent fuel, on-site storage should be improved through Hardened On-Site Storage (HOSS), and storage must remain the legal, financial, and moral responsibility of the nuclear utilities that have created and benefited from it.

For defense high-level waste, solidification of liquid high-level waste is required, and in the meantime, additional double-shelled tanks must be built now at Hanford, WA, to replace leaking tanks. Workers at DOE sites must be adequately protected from hazardous and radioactive materials. Whistleblowers should be rewarded and protected, and should no longer be punished or lose their jobs. Compensation for those contaminated and cleanup of past contamination must be the priority.

The current DOE "consent-based siting process" is premature and should be terminated. Consent is not the law of the land. Thus, no federal law requires, or even allows, that the administration, Congress or the Courts give any status to any "consent" agreement for nuclear waste facilities. DOE sites have never been chosen by consent, and when communities do not consent to continued nuclear weapons missions, they are ignored. Congress must enact legislation that defines how free, prior, and informed consent can occur, including what legal or constitutional constraints prevent future congresses from overriding consent agreements or withholding funding. New legislation must define whether DOE or some other agency is responsible for commercial spent fuel and high-level nuclear waste disposal.

Before any repository siting process can begin, there must be a public process to develop the new technical standards, including before DOE could proceed with a defense high-level waste repository. In addition, Congress must provide for state regulatory authority over nuclear waste storage and disposal that includes robust public information, participation and judicial review requirements.

Thank you for your careful consideration of our comments.

Jay Coghlan, President
ANA Board of Directors

Alliance for Nuclear Accountability Groups -
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