

Savannah River Site Citizens Advisory Board Advisory Position Statement on Interim or Long Term Storage of Spent Nuclear Fuel and High-Level Waste

Background:

The Savannah River Site began operations in 1952 and has conducted various missions including heavy water production, plutonium/uranium separation, and the production of other radionuclides. Spent Nuclear Fuel (SNF) and high-level radioactive waste generated from past and ongoing missions are intended for eventual disposal in a national deep geologic repository. By the 1980's it was recognized that the safe disposal of such wastes from both commercial and defense sources was a national priority. The Nuclear Waste Policy Act (NWPA) of 1982, created a timetable for the creation of a deep geologic repository. The permanent repository was slated by the NWPA to begin receiving commercial and defense wastes by the middle of the next decade (1995). The responsibility to site, construct and operate the repository was given to the Department of Energy (DOE). A fee was imposed on commercial nuclear power generators to support the creation and operation of the repository. After two decades of site studies, DOE filed a construction license application in 2008, however in the Administration vaguely determined that proposed location "is not a workable option" and tasked a Blue Ribbon Commission on America's Nuclear Future (BRC) to find alternatives. The BRC issued its final report in 2012, and included among its recommendations to: (1) develop one or more consolidated interim storage facilities and (2) provide for the siting and development of one or more deep geological disposal facilities. In December 2015, DOE formally initiated a three-phase siting process for storing America's spent nuclear waste. The government's previous failure to do so has resulted in nearly \$2 billion in court-awarded damage settlements being paid from the taxpayer-funded Judgment Fund to compensate energy companies for storing the used fuel onsite. Damages could reach more than \$20 billion by 2020 and up to \$500 million annually after 2020.¹ At government facilities like SRS, the waste simply continues to accumulate in aging facilities.

Discussion:

The nation now finds itself in a situation where the BRC recommends that we consolidate interim storage for many more decades. The 2013 DOE response to the BRC recommendations, *Strategy for the Management and Disposal of Used Nuclear Fuel and High-Level Radioactive Waste*, states that over the next ten years the Administration plans to implement a program that "...makes demonstrable progress on the siting and characterization of repository sites to facilitate the availability of a geologic repository by 2048" – over 50 years after the date intended by the NWPA. Many examples of DOE projects clearly demonstrate the likelihood that this estimate will only elongate further

¹ Congressional Research Service Analysis: *The Yucca Mountain Litigation: Breach of Contract Under the Nuclear Waste Policy Act of 1982*

Sadly, the 13 billion dollars already spent to build a deep geologic repository will be largely wasted. Considering the escalating costs of such an endeavor, our mushrooming national debt and perennial budget deficits, it is unlikely that adequate funding will be available in the future. It is unreasonable to assume that any commitment to a date 35 years in the future will be honored by DOE, given their poor track record for planning and project management. Even explicit federal law and court-enforceable agreements have not compelled DOE to meet their previous commitments.

Conclusions:

- a. Restarting the repository site selection process, creation of interim consolidated storage sites, and court-awarded damages will be extremely costly, placing a warrantless burden on the nation's financial resources.
- b. The construction of alternate repository location(s) is, at best, generations away and there is no faith that the currently proposed 2048 availability date will be adhered to.
- c. Pending establishment of new repository location(s), citizens neighboring the Savannah River Site will be subjected to unwarranted risk by hosting a *de facto* indefinite storage site for spent nuclear fuel and high-level radioactive.
- d. Continued disposition of surplus nuclear material may significantly add to SRS' waste storage liability.
- e. SRS has not been adequately evaluated under the National Environmental Policy Act (NEPA) for indefinite or long term storage of spent nuclear fuel or high-level waste. Previous SRS NEPA reviews assumed near-term transfer and disposal of these wastes to a federal repository. SRS NEPA reviews since 2013 only provide vague references to a DOE strategy endorsing the principles of the 2012 BRC report.

CAB POSITION STATEMENT:

Based on the forgoing, the Savannah River Site Citizens Advisory Board:

1. Opposes indefinite or long term storage of spent nuclear fuel and high level radioactive waste at the Savannah River Site.
2. Urges DOE to stabilize and remove such waste from SRS as soon as possible.
3. Opposes any proposal to use SRS for a consolidated interim storage site of spent nuclear fuel or high-level waste from other locations in support of BRC recommendations.