



# Our Nuclear Waste Program Needs Reform – Here's How

By **Greg R. White, Commissioner, Michigan Public Service Commission** - 05/14/15 09:50 AM EDT

As the 114th Congress prepares to convene its first hearing Friday on the federal government's management of spent nuclear fuel, there is reason for optimism that the stars could be aligning to fix this broken program.

Consider:

- Pressure on the administration and Congress to act is growing, with taxpayers already having paid \$4.5 billion in damages from the federal government's failure to move spent nuclear fuel from commercial nuclear power plant sites. Each year of inaction after 2020 increases liability to taxpayers by an estimated \$500 million.
- Federal courts have forced the Department of Energy—in the absence of any viable nuclear waste program—to suspend collection of the monthly surcharge that has poured about \$750 million annually from electricity consumers into the Nuclear Waste Fund. Federal courts also have ordered the Nuclear Regulatory Commission to proceed with the license review process for the nuclear waste repository proposed at Yucca Mountain, Nev.
- In just the past three months, two separate projects to establish consolidated interim storage facilities for spent nuclear fuel have been unveiled in west Texas and southeast New Mexico.
- Only weeks ago, Secretary of Energy Ernest Moniz announced that, to finally achieve some progress in this tattered program, the agency will undertake steps to decouple disposal efforts for commercial spent fuel and the Defense Department's high-level radioactive waste. While the Secretary's initiative lacks details and a budget, and therefore fails to inspire confidence, he did pledge to move in parallel on consolidated storage for the byproducts of both commercial and defense nuclear applications.

Friday's hearing before a House Energy and Commerce panel should shed additional light on these developments. It also will give lawmakers a chance to begin coalescing behind a comprehensive strategy to safely meet the federal government's legal obligation to manage spent reactor fuel.

As a commissioner on the Michigan Public Service Commission and chair of the [Nuclear Issues-Waste Disposal Subcommittee](#) at the National Association of Regulatory Utility Commissioners, I supported passage of the 2002 law codifying designation of Yucca Mountain as the nation's repository site. In the dozen years since then, there has been little progress, rather only the abrupt and arbitrary policy change by President Obama to declare that Yucca Mountain is not a "workable option."

That's not what consumers deserve. Instead, here are key elements of what the federal program should look like. Many of these are contained in the very [report](#) commissioned by the Obama administration's Blue Ribbon Commission on America's Nuclear Future:

- Complete the licensing review for the Yucca Mountain repository project
- Charter a new federal corporation dedicated solely to implementing the nuclear waste management program and empowered with the authority and resources needed to succeed
- Provide assured access by the nuclear waste management program to the revenues generated by consumers' fee payments, once they resume, and to the balance of the Nuclear Waste Fund
- Develop one or more consolidated interim storage facilities at volunteer sites with priority given to the used fuel from decommissioned reactors

If implemented in the near term, these steps would create a solid foundation on which to build a viable spent fuel management program while development of a repository is pursued.

It is a travesty that the Department of Energy has failed completely to meet its statutory and contractual obligation to begin moving spent fuel from commercial reactor sites beginning in 1998. Congress' renewed interest in this effort is welcome and needed.

Although many of the key Blue Ribbon Commission recommendations require congressional action to be implemented fully, the Energy Department, under existing authority, can and should take action immediately to advance the recommendations. The administration should work with Congress on near-term actions to give consumers of electricity from nuclear power plants the used fuel management program they paid for and deserve.

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