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Our nuclear waste problem can't wait

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The final report from the Blue Ribbon Commission on America's Nuclear Future to the secretary of energy stated that the 1982 Nuclear Waste Policy Act, which ties the entire U.S. high-level waste management program to the ill-fated Yucca Mountain site in Nevada, has broken down.

It was not supposed to be this way. The NWPA bound the Department of Energy to take over supervision of all civilian waste from utility companies for final disposal under the assumption that the waste would be permanently stored in a deep geological repository – Yucca Mountain. The act obligated the federal government to begin accepting waste by 1998, but the government failed to open the repository – and failed to fulfill its responsibility – forcing the it to compensate the utility companies for continuing to store the waste and assume liability. This situation cannot be allowed to continue.

Unfortunately, the federal government has made no substantial progress toward the consolidated storage of used civilian nuclear fuel. Adding to the problem, a November 2013 U.S. Court of Appeals decision eliminated the fee designed to finance used-fuel storage. The fund has \$30 billion accumulated, but no new monies have been collected to address the ongoing storage problem because of existing law.

The existing law only allows the DOE to take possession of high-level radioactive waste and spent nuclear fuel when it is assigned to permanent storage. The key word here is permanent (read: Yucca Mountain). Currently there is no viable plan for permanent storage of spent nuclear fuel or high-level radioactive waste.

The BRC recommended the DOE establish a system of regional sites that would take in the used fuel from the nation's commercial reactors, consolidating the interim storage of used fuel and putting this nuclear waste into stronger, safer, more secure, more manageable and more economical dry casks as the initial step toward eventual permanent disposal. Dry casks are a very robust storage option that require no power to operate the cooling systems and are designed to withstand natural catastrophic events such as earthquakes and floods. The transition to dry cask-based interim storage should be made as quickly as possible.

Currently, the nation's inventory of spent nuclear fuel is being stored at the sites where it was generated, including at the 61 still-operating nuclear power plants and 14 shut-down reactor sites. Some of the spent fuel is still in cooling ponds, but a large amount has been moved to on-

site dry casks. The San Onofre Nuclear Generating Station falls into this category. This should be removed as quickly and safely as possible.

There is a path to a solution to this problem. Last September, Rep. Mike Conaway, R-Texas, filed H.R. 3643, the Interim Consolidated Storage Act of 2015, and Rep. Darrell Issa, R-Vista, co-sponsored the bill.

This legislation would amend the existing Nuclear Waste Policy Act allowing the DOE to take title to the nuclear waste and contract with private companies to store the waste at a consolidated site.

Conaway's district includes the city of Andrews, the proposed site for a storage facility to be built and operated by Waste Control Specialists. It is in a much more geologically stable and less densely populated region of the country.

I have been visiting local city councils, asking them to pass resolutions in support of this bill. Encinitas, Oceanside, San Clemente and San Luis Obispo have passed the resolution. It is now time for the general public to weigh in and petition Congress to address the nuclear waste storage problem.

Oceanside City Councilman Jerry Kern is a member of the San Onofre Community Engagement Panel.