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United States Senate

COMMITTEE ON
ENERGY AND NATURAL RESOURCES

WASHINGTON, DC 20510-6150

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August 14, 2006

The Honorable Donald Carcieri
Governor of Rhode Island
Chairman
Coalition of Northeastern Governors
400 North Capitol Street, NW Suite 382
Washington, DC 20001

Dear Governor Carcieri,

As you know, there have been several significant developments by the Department of Energy and by the Congress to advance the discussion of nuclear spent fuel storage. For the first time in many years, Congress is debating various policies that seek to address short, medium and long term solutions to our commercial spent fuel needs. This presents us with a unique opportunity to work together to address this problem sooner, rather than later, realistically looking at our options.

Almost a month ago, the Department of Energy (DOE) released a new timetable for submitting a license application to the Nuclear Regulatory Commission (NRC) for the Yucca Mountain project by June 2008. The DOE anticipates opening Yucca Mountain in March 2017 to begin acceptance of spent nuclear fuel and high level defense waste, a full 19 years late.

Yucca Mountain is the cornerstone of a comprehensive spent nuclear fuel management strategy for this country. We need Yucca Mountain. I want to fix this program and make it work.

However, experience has shown that the schedule for Yucca is not an assurance. My concern is that the new timetable does not include any margin for any further project delays by the DOE, its contractors, or legal action by the State of Nevada, all of which would cause DOE to miss these new deadlines.

Meanwhile, the federal government's liability is piling up. The nation's electric ratepayers and your constituents are paying twice – both for Yucca and for storing waste at reactor sites. From my own estimates, if Yucca Mountain were to open by the Department's goal of 2017, ratepayers will be paying until late in this century to keep spent fuel onsite -- not because Yucca will not be open -- but because under current plans, this is the fastest the waste can move.

DOE plans to send 3,000 metric tons per year to Yucca Mountain. At that pace, it will be 2040 before DOE transports all of the spent nuclear fuel that exists today to Yucca Mountain. In the meantime, we will continue to generate additional spent fuel that is destined for Yucca.

I understand that you want the government to meet its obligation to move spent nuclear fuel from your state as soon as possible. However, even after Yucca Mountain opens, it will likely take over 30 years -- longer than I have been in the Senate -- to eliminate the existing backlog of spent fuel. In light of that, it only makes sense to look for additional ways for the government to meet its obligations.

I have reached a few conclusions that I will share with you. Yucca Mountain must be opened. Even if Yucca Mountain opens in accordance with the new schedule, significant quantities of spent fuel will remain at reactor sites for many decades, thus the need for a practical interim solution

In looking at the larger integrated nuclear fuel cycle picture, the role of the Global Nuclear Energy Partnership comes in. This year, the Bush Administration took what I believe is the correct path in proposing to close the nuclear fuel cycle and recycle spent nuclear fuel, leaving a reduced amount of material that must be disposed in Yucca. The fact is that unless we recycle, Yucca can't contain everything. We must use the time we have before Yucca Mountain opens to look seriously at these terrific new technologies that can reduce the volume and toxicity of spent fuel. It is no surprise that I support the Global Nuclear Energy Partnership (GNEP), and it should be included as part of our nuclear waste solution.

The three pieces of the puzzle -- Yucca Mountain, GNEP and interim storage -- will establish a comprehensive program that will provide confidence that our nation's nuclear waste will be managed safely both for current and future reactors.

It is in this context that I have introduced a proposal in the Energy and Water Appropriations bill to initiate the dialogue that moves us toward a solution on interim storage of spent fuel. I am interested in a solution that will keep the Yucca Mountain project moving, but also acknowledges the need to safely deal with spent fuel until the project is completed and shipments of spent fuel eliminate the backlog accumulating today in your states at existing reactor sites. We must find a way for the Federal government to meet its obligation to take and store spent fuel, and relieve your ratepayers of the burden of paying for both Yucca Mountain and on-site storage. I believe these are goals we all share, and I look forward to further discussion with you on how we can design a program that will allow us to meet these goals.

Sincerely,



Pete V. Domenici

Cc: The Honorable James Douglass
Governor of Vermont
The Honorable John Baldacci
Governor of Maine
The Honorable Jon Lynch
Governor of New Hampshire
The Honorable Jon Corzine
Governor of New Jersey
The Honorable George Pataki
Governor of New York
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