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FINAL REPLY:

Senator Richard J. Durbin

TO:

Chairman Meserve

FOR SIGNATURE OF : ** PRI ** CRC NO: 02-0256

Chairman Meserve

DESC:

Request Assistance in Evaluating the Safety of Transporting Nuclear Waste - From Illinois to the Proposed Repository at Yucca Mountain

ROUTING:

Travers
Paperiello
Kane
Norry
Craig
Burns/Cyr
Dyer, RIII
Merschoff, RIV

DATE: 04/10/02

ASSIGNED TO: CONTACT:

NMSS Virgilio

SPECIAL INSTRUCTIONS OR REMARKS:

Due 4/22 - no extensions.

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ACTION OFFICE:	EDO		

AUTHOR:	SEN Richard Durbin
AFFILIATION:	SEN
ADDRESSEE:	CHRM Richard Meserve
SUBJECT:	Request assistance in evaluating the safety of transporting nuclear waste through and from Illinois to the proposed respository at Yucca Mountain
ACTION:	Signature of Chairman
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NOTES:	COMMISSION CORRESPONDENCE
FILE LOCATION:	ADAMS

DATE DUE:	04/24/2002	**DATE SIGNED:**	

RICHARD J. DURBIN
ILLINOIS

COMMITTEE ON APPROPRIATIONS

COMMITTEE ON THE JUDICIARY

COMMITTEE ON GOVERNMENTAL AFFAIRS

SELECT COMMITTEE ON INTELLIGENCE

ASSISTANT DEMOCRATIC FLOOR LEADER

United States Senate

Washington, DC 20510-1304

332 DIRKSEN OFFICE BLDG.
WASHINGTON, DC 20510-1304
(202) 224-2152
TTY (202) 224-8180

230 SOUTH DEARBORN, 38TH FL.
CHICAGO, IL 60604
(312) 353-4952

525 SOUTH EIGHTH STREET
SPRINGFIELD, IL 62703
(217) 492-4062

701 NORTH COURT STREET
MARION, IL 62959
(618) 998-8812

www.senate.gov/~durbin

March 22, 2002

The Honorable Richard Meserve
Chairman, Nuclear Regulatory Commission
Washington, DC 20555-0001

Dear Chairman Meserve:

I am writing to request your assistance in evaluating the safety of transporting nuclear waste through and from Illinois to the proposed repository at Yucca Mountain. About 20 percent of our nation's electricity comes from nuclear power, and in Illinois nearly half of the electricity is generated from nuclear power. Our nation must rise to the challenge to safely store spent nuclear fuel so it will never endanger any future generation. The President's recommendation of Yucca Mountain as a national nuclear waste repository now shifts the burden of the decision to the State of Nevada and Congress.

In the past I have opposed efforts to move nuclear waste to a temporary storage facility at Yucca Mountain before there was a scientific determination of whether waste could be stored there safely on a permanent basis. Additionally, I have opposed any Congressional actions that would pre-empt the determination that the proposed site would conform with accepted public health and environmental standards. I am encouraged by the standards set by the Environmental Protection Agency (EPA) last year, which were derived from recommendations made by the National Academy of Sciences and developed after extensive public comments. I also have reviewed the Final Environmental Impact Statement (FEIS) issued by the Department of Energy (DOE), which provides detailed analysis of the proposed action to construct and operate a geological repository at Yucca Mountain for the disposal of spent nuclear fuel and high-level radioactive waste.

Soon I expect Congress to be asked to vote on whether to approve the President's recommendation on Yucca Mountain. As we turn to this challenging debate, one of the key issues we must address is transportation. The American people deserve to know that the government has done the analysis and planning necessary to determine whether it is possible to safely transport all the spent nuclear fuel throughout the country to one location. This issue is of particular importance to Illinois, which has several rail and highway corridors that may be used as thoroughfares for nuclear waste from Illinois and other states.

I am writing to request information on the following key questions:

- How was the Nuclear Regulatory Commission involved in analyzing the transportation impacts associated with a recommendation of Yucca Mountain as a national nuclear waste repository included in the FEIS? If Yucca Mountain is approved, what further transportation plans and Environmental Impact Statements would need to be completed? What role would your agency play regarding transportation of spent fuel if Congress approves Yucca Mountain? How would your agency be involved in selecting transportation modes and routes for the relocation of nuclear waste if Congress approves Yucca Mountain?

- In the FEIS, the DOE expresses a preference for a mostly rail scenario. How would you advise Nuclear Regulatory Commission (NRC) licensees, States, and others responsible for disposing spent nuclear fuel and high-level radioactive waste to act, given the different transportation scenarios proposed in the FEIS, including the mostly rail scenario, the mostly truck scenario, and the possibility of building a rail corridor or making highway improvements to and around Yucca Mountain?

- What mechanisms are currently in place to coordinate with other agencies (federal, state, and local) with jurisdiction over the transportation of nuclear waste, and what additional mechanisms may be required if Congress approves Yucca Mountain?

- Are federal, state, and local officials adequately trained, prepared, and equipped with the necessary skills and tools to execute a large-scale shipment plan to bring nuclear waste to Yucca Mountain, if it is approved as a national repository? What federal training, planning, and resources would be made available for federal, state, and local officials who would be involved in the transportation of nuclear waste, including first responders, if Congress approves the President's recommendation on Yucca Mountain?

I appreciate your cooperation in addressing the concerns I have raised, and I look forward to working with you as Congress analyzes the critical issues in this debate.

Sincerely,

Dick Durbin

Richard J. Durbin
United States Senator