

# United States Senate

WASHINGTON, DC 20510-7020

October 29, 2015

Nuclear Regulatory Commissioners  
United States Nuclear Regulatory Commission  
Washington, DC 20555-0001

Dear Commissioners:

The United States Nuclear Regulatory Commission (NRC) staff recently held meetings in Las Vegas and Amargosa Valley, Nevada, to hear public comments on the Draft Supplement to the U.S. Department of Energy's Environmental Impact Statement for a Geologic Repository for the Disposal of Spent Nuclear Fuel and High-Level Radioactive Waste at Yucca Mountain, Nye County, Nevada (NUREG – 2184).

Many of the attendees at the NRC public meetings in Nevada expressed their concerns about spent nuclear fuel and high-level nuclear waste transportation safety and security. The attendees at the Las Vegas meeting were especially concerned about the impacts of thousands of shipments, by truck and by train, traveling through their city if the Yucca Mountain repository were to be constructed and operated. The NRC staff members hosting the meetings were primarily focused on groundwater impacts of the proposed repository and did not provide requested information on transportation safety generally, and specifically about how the NRC determines the safety of the casks used for shipping these dangerously radioactive materials by rail and by highway.

We request that you provide the following information by November 30, 2015.

1. A list of all approved transportation packages for spent nuclear fuel and high-level nuclear waste, currently certified by the Commission under 10 CFR Part 71;
2. A physical description of each approved transportation package design, including the intended transportation mode, the design waste volume, and associated impact limiter;
3. A list of all physical tests performed to determine the safety of each approved transportation package, including associated impact limiter;
4. The criteria used to determine the safety of each approved transportation package for certification;
5. A description of the methods or analyses used in tests to measure transportation package performance for each criteria; and,
6. The results of all tests on each approved transportation package and associated impact limiter.

Another issue that arose during the public meetings was the strong unlikelihood that the Department of Energy would ever actually install titanium drip shields to protect nuclear waste from moisture inside Yucca Mountain. As you know, titanium drip shields are a fundamental component of the repository's design, and performance modeling for the license application was based on their installation. Moreover, the license application for Yucca Mountain assumes drip shields would be installed roughly 100 years after the proposed repository is constructed and filled with nuclear waste, using robotic installation equipment that would not be designed, constructed, or available before a license application reaches a final decision.

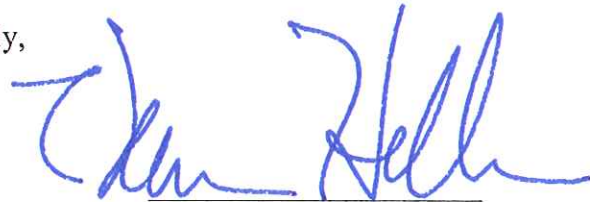
Given that we cannot predict what the Department of Energy's budget will look like in 100 years nor what the country's priorities will be at that time, does NRC's draft EIS Supplement or any other environmental review consider the impacts on public health, safety, and the environment if the titanium drip shields are not installed?

Given the uncertainties about design, fabrication, and method of installation, does the NRC draft EIS Supplement or any other environmental review consider the impacts on public health, safety, and the environment if the titanium drip shields were to be installed but do not perform as predicted?

This information is important to all Americans who live near or travel on our nation's highways and railways, and we thank you in advance for your prompt attention to my request.

Sincerely,

  
HARRY REID  
United States Senator

  
DEAN HELLER  
United States Senator

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**From:** Swing, Samantha (Reid) [[mailto:Samantha\\_Swing@reid.senate.gov](mailto:Samantha_Swing@reid.senate.gov)]  
**Sent:** Thursday, October 29, 2015 5:03 PM  
**To:** Decker, David <[David.Decker@nrc.gov](mailto:David.Decker@nrc.gov)>  
**Cc:** McDonough, Alexander (Reid) <[Alexander\\_McDonough@reid.senate.gov](mailto:Alexander_McDonough@reid.senate.gov)>  
**Subject:** [External\_Sender] Letter to Nuclear Regulatory Commission Commissioners

Hello David,

Attached is a letter for the NRC Commissioners from Senators Reid and Heller.

Please let me know if you have any questions regarding this request.

Thank you,  
Samantha

Samantha Swing  
Legislative Aide and Correspondence Manager  
United States Senator Harry Reid of Nevada  
202.224.3542  
[samantha\\_swing@reid.senate.gov](mailto:samantha_swing@reid.senate.gov)