October 23, 2017

The Honorable Mitch McConnell
Majority Leader, U.S. Senate
317 Russell Senate Office Building
Washington, D.C. 20510

The Honorable Charles E. Schumer
Minority Leader, U.S. Senate
322 Hart Senate Office Building
Washington, D.C. 20510

Dear Majority Leader McConnell, Minority Leader Schumer, and all U.S. Senators:

The undersigned organizations seek your leadership to ensure that the U.S. Department of Energy (DOE) honors its commitments per the Nuclear Waste Policy Act (NWPA) and contracts with utilities to remove and dispose of spent nuclear fuel (SNF) and high-level radioactive waste (HLW) that is currently stored at operating and shutdown reactor sites – as well as DOE's federal facilities – in 37 states and over 100 communities.

DOE has consistently failed to meet these obligations, harming electric consumers served by nuclear-generating utilities as well as all U.S. taxpayers. To best enable the federal government to honor its commitments and begin mitigating its rapidly escalating liability, Congress must appropriate funds in FY 2018 for the following critical elements of an effective nuclear waste management program (as further described in the attachment titled "FY 2018 Funding Priorities – Nuclear Waste"):

- Completion of the Yucca Mountain Licensing Review
- Implementation of Pilot Consolidated Interim Storage with Priority for Stranded Reactor Fuel
- Preparation for SNF and Defense HLW Transportation

Our organizations respectfully seek your assistance in appropriating FY 2018 funds for these priorities. Thank you for your consideration, and please do not hesitate to contact Katrina McMurrian, NWSC Executive Director, at *katrina@theNWSC.org* or 615.905.1375, for more information.

Sincerely,

Robert Coward
President, American Nuclear Society (ANS), and
Principal Officer, MPR Associates, Inc.

Wayne Norton
Chair, DPC Steering Committee, and
President &CEO, Yankee Atomic Electric Co.

John W. "Jack" Betkoski, III
President, NARUC, and Vice Chairman,
Connecticut Public Utilities Regulatory Authority

Maria G. Korsnick
President & CEO
Nuclear Energy Institute (NEI)

David Blee
Executive Director
U.S. Nuclear Infrastructure Council (NIC)

Sarah Hofmann
Chair, NWSC, and Commissioner,
Vermont Public Utility Commission

Attachments

cc: The Honorable Lamar Alexander, Chairman, Subcommittee on Energy & Water Development Appropriations
The Honorable Dianne Feinstein, Ranking Member, Subcommittee on Energy & Water Development Appropriations
All United States Senators

FY 2018 FUNDING PRIORITIES – NUCLEAR WASTE

The Department of Energy (DOE) has consistently failed to meet its obligations concerning the management and disposal of spent nuclear fuel (SNF) and high-level radioactive waste (HLW). This inaction is harming electric consumers served by nuclear-generating utilities as well as all U.S. taxpayers. Specifically, electric consumer payments into the Nuclear Waste Fund (NWF) total in excess of $40 billion (including accumulated interest, which is currently accruing at a rate of approximately $1.5 billion per year), but electric consumers have received little in return. In addition, over $6 billion in damages have been paid from the taxpayer-funded Judgment Fund, and the taxpayers' liability continues to grow substantially in the absence of action.

To best enable the federal government to honor its commitments and begin mitigating this rapidly escalating liability, Congress must appropriate funds in FY 2018 for the following critical elements of an effective nuclear waste management program:

- ***Completion of the Yucca Mountain Licensing Review.*** The Nuclear Regulatory Commission (NRC) and DOE need funding as requested to proceed with statutory duties regarding the Yucca Mountain repository license application review. DOE should also immediately re-establish the Office of Civilian Radioactive Waste Management to manage the program in accordance with the Nuclear Waste Policy Act (NWPA).
- ***Implementation of Pilot Consolidated Interim Storage with Priority for Stranded Reactor Fuel.*** Congress should also facilitate a pilot consolidated interim storage (CIS) facility for SNF and Greater-Than-Class-C waste stranded at shutdown nuclear sites to enable the government to begin meeting its obligations sooner and gain experience.
- ***Preparation for SNF and Defense HLW Transportation.*** Because development of SNF transportation infrastructure will be necessary regardless of destination, we seek funding for DOE to (i) test, certify, and procure rail cars, as well as licensed transportation casks and components in a manner that utilizes the private sector to the maximum extent practicable as required by the NWPA; and (ii) increase financial and technical assistance to tribal, state, and local governments for transportation and related emergency preparedness activities that will provide the public assurance that the health, safety, and welfare of communities will be preserved as SNF is transported.

While all of these elements are important, it is absolutely essential that Congress act now to fund the completion of the licensing process for a geologic repository at Yucca Mountain. This action would send a clear message that the federal government is committed to ensuring that DOE carries out its statutory responsibility to manage and dispose of SNF and HLW.

A brief description of each signing organization follows:

The **American Nuclear Society (ANS)** is a not-for-profit scientific and educational organization, dedicated to promoting awareness and understanding of nuclear science and technology. The Society is composed of approximately 11,000 professional engineers, scientists, administrators, and educators working in government, the private sector, and universities. ANS provides opportunities for professional development and operates as a forum for continued learning, the sharing of technological advancements, and engagement of policymakers and the public.

The **Decommissioning Plant Coalition (DPC)** was established in 2001 to highlight issues unique to decommissioning nuclear power plants. DPC focuses on addressing the needs of reactor sites where all operating units have permanently shutdown and are undergoing or have completed decommissioning activities.

The **National Association of Regulatory Utility Commissioners (NARUC)** is a non-profit corporation founded in 1889 that is dedicated to representing the State public service commissions that regulate the utilities providing essential services such as energy, telecommunications, power, water, and transportation. NARUC's members include all 50 States, the District of Columbia, Guam, Puerto Rico, and the Virgin Islands.

The **Nuclear Energy Institute (NEI)** is the nuclear energy industry's premier policy organization. NEI represents and serves the interests of about 300 corporate members worldwide. Acting in partnership with members on a wide range of issues, NEI works to influence public policy by representing the industry before Congress, the White House and executive branch agencies, federal regulators and state policy forums.

The **U.S. Nuclear Infrastructure Council (NIC)** is the leading American business consortium advocate for new nuclear energy and U.S. nuclear energy exports. Composed of nearly 100 companies, the Council represents the Who's Who of the American nuclear energy supply chain including key movers, technology developers, construction engineers, manufacturers and services companies.

The **Nuclear Waste Strategy Coalition (NWSC)** is an ad hoc organization representing the collective interests of member state utility regulators, state consumer advocates, state energy and radiation control officials, tribal governments, local governments, electric utilities with operating and shutdown nuclear reactors, and other public and private sector experts on nuclear waste policy matters.

Nuclear Waste Fund Payment Information by State

As of September 30, 2016 (Million Dollars)

Payments associated by each state are based on its nuclear plant generation.

State	Total NWF Contributions	One-Time Fee Outstanding	Allocation of Interest on NWF	Total Liabilities
Alabama	962.1	0.0	1,018.2	1,980.3
Arizona	697.2	0.0	737.9	1,435.1
Arkansas	375.0	181.3	396.8	953.1
California	977.0	0.7	1,034.0	2,011.7
Colorado	0.2	0.0	0.3	0.5
Connecticut	467.7	481.3	494.9	1,443.9
Florida	903.6	0.0	956.3	1,859.8
Georgia	862.2	0.0	912.5	1,774.7
Illinois	2,307.1	1,020.9	2,441.8	5,769.9
Iowa	141.2	0.0	149.4	290.6
Kansas	228.9	0.0	242.3	471.2
Louisiana	411.9	0.0	435.9	847.8
Maine	69.1	185.9	73.1	328.1
Maryland	432.9	0.0	458.2	891.1
Massachusetts	191.0	0.0	202.1	393.1
Michigan	844.1	265.5	893.3	2,002.9
Minnesota	456.7	0.0	483.4	940.1
Mississippi	253.5	0.0	268.3	521.7
Missouri	247.6	0.0	262.1	509.7
Nebraska	305.3	0.0	323.1	628.4
New Hampshire	201.8	0.0	213.5	415.3
New Jersey	782.5	174.9	828.2	1,785.6
New York	1,027.8	506.7	1,087.7	2,622.2
North Carolina	1,050.9	0.0	1,112.3	2,163.2
Ohio	386.0	32.7	408.5	827.3
Oregon	79.6	0.0	84.2	163.8
Pennsylvania	1,976.6	89.1	2,092.0	4,157.7
South Carolina	1,524.4	0.0	1,613.3	3,137.7
Tennessee	605.0	0.0	640.3	1,245.3
Texas	815.2	0.0	862.7	1,677.9
Vermont	121.3	144.9	128.4	394.7
Virginia	852.9	0.0	902.7	1,755.7
Washington	201.5	0.0	213.3	414.8
Wisconsin	423.9	0.0	448.6	872.5
Other	7.6	0.0	8.0	15.6
Total	**21,191.0**	**3,084.1**	**22,427.8**	**46,703.0**

Note: The Department of Energy suspended collection of the Nuclear Waste Fund fee in May 2014.
Source: Department of Energy
Compiled by: Nuclear Energy Institute, updated February 2017

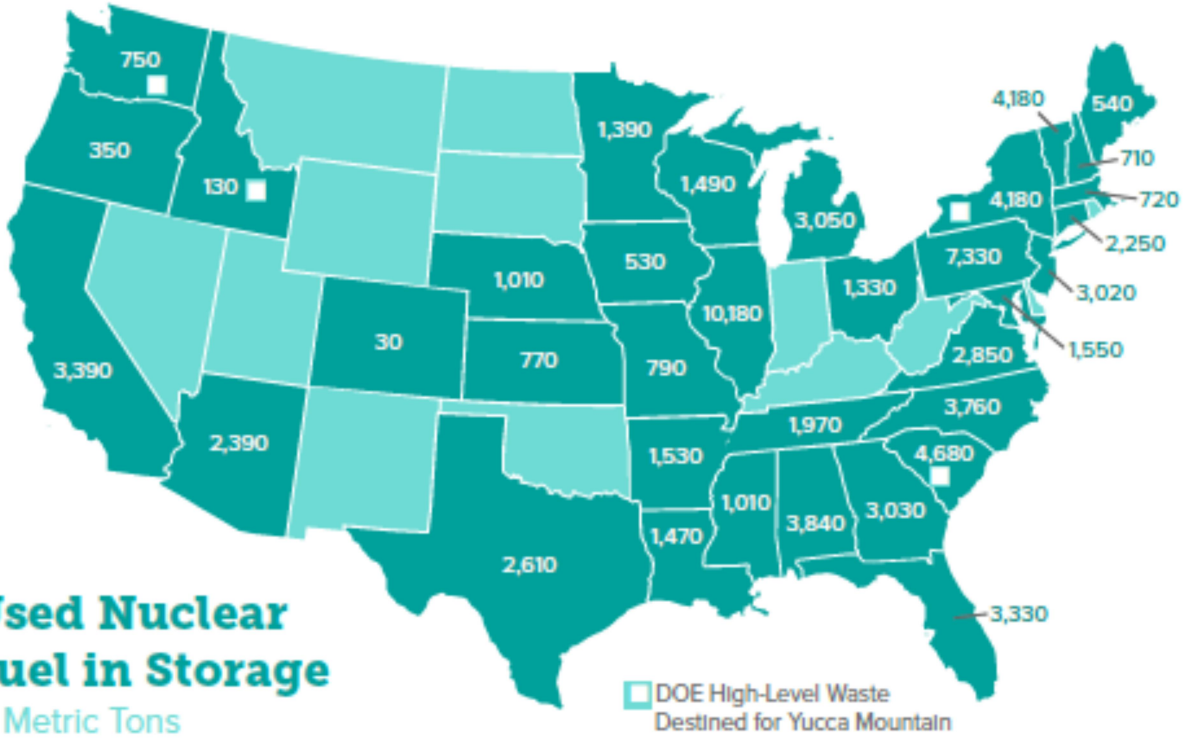
It's Time to Act on America's NUCLEAR WASTE

$40 Billion
Amount **electricity customers** have paid into the Nuclear Waste Fund with accrued interest

$1.7 Billion/Year
Investment interest that the Fund accumulates annually

$36 Billion
Current balance of the Nuclear Waste Fund

$2.2 Million/Day
Court-ordered damage payments from **taxpayers** (more than **$800 million per year**)



Used Nuclear Fuel in Storage

In Metric Tons

As of Dec. 31, 2016

35 YEARS How long electricity customers have paid the U.S. Government for a solution to used fuel disposal

THE TIME TO ACT IS NOW!

NEI NUCLEAR ENERGY INSTITUTE

Permanently & Announced Shutdown Nuclear Plant Sites

1. Big Rock
Charlevoix, MI

2. Connecticut Yankee
Haddam Neck, CT

3. Crystal River
Crystal River, FL

4. Diablo Canyon
Avila Beach, CA
Announced Shutdown, 2025

5. Fort Calhoun
Blair, NE

6. Humboldt Bay
Eureka, CA

7. Indian Point
Buchanan, NY
Announced Shutdown, 2021

8. Kewaunee
Kewaunee, WI

9. La Crosse
La Crosse, WI

10. Maine Yankee
Wiscasset, ME

11. Oyster Creek
Leeds Point, NJ
Announced Shutdown, 2019

12. Palisades
Covert, MI
Announced Shutdown, 2022

13. Pilgrim
Plymouth, MA
Announced Shutdown, 2019

14. Rancho Seco
Herald, CA

15. San Onofre
Pendleton, CA

16. Three Mile Island
Middletown, PA
Announced Shutdown, 2019

17. Trojan
Ranier, OR

18. Vermont Yankee
Vernon, VT

19. Yankee Rowe
Rowe, MA

20. Zion
Zion, IL