



WESTERN  
GOVERNORS'  
ASSOCIATION

Western Governors' Association  
Policy Resolution 2014 - 06

*Storage and Disposal of Radioactive Waste and Spent Nuclear Fuel*

A. BACKGROUND

1. There are several classes of radioactive waste the nation is cleaning up, treating, transporting and/or storing. These classes are defined in the Nuclear Waste Policy Act and other federal laws. These include:
  - Spent nuclear fuel (SNF) from nuclear power plant sites and research reactors;
  - High-level radioactive waste (HLW) at Department of Energy (DOE) facilities;
  - Transuranic waste (TRU) the majority of which is at DOE facilities;
  - Low Level Radioactive Waste which is broken into 4 classes, including Greater-Than-Class C (GTCC) Waste.
2. Currently more than 75,000 metric tons of SNF is stored at or near nuclear power plant sites and research reactors in 38 states. Historically, more than 88% of the SNF at operating and shut down reactor sites has been generated east of the 100<sup>th</sup> meridian. In 2014 and beyond, more than 93% of the SNF from currently operating and prospective reactor sites will be generated east of the 100<sup>th</sup> meridian.
3. The amount of SNF stored on-site at commercial nuclear reactors will continue to accumulate—increasing by about 2,000 metric tons per year and likely almost doubling to about 140,000 metric tons before it can be moved off-site, because storage or disposal facilities may take decades to develop.
4. Congress mandated that the federal government begin accepting spent fuel by January 30, 1998. However, it remains uncertain when an operating repository will be sited, let alone begin accepting waste.
5. DOE's Draft Environmental Impact Statement (DEIS) for GTCC Low-Level Radioactive Waste and GTCC-Like Waste has identified seven potential site candidates, six of which are in the West. Since the vast majority of this waste would be generated outside of the western region, disposal in the West would significantly add to the transportation risk. Additionally, more than 90 percent of the existing inventory of TRU waste is located in the Western states. Given existing and proposed sites for storage of radioactive waste in the United States, the Governors are concerned that the Western states may be disproportionately impacted by nuclear waste transportation and storage activities.
6. None of the DOE sites under consideration in the draft EIS contain a Nuclear Regulatory Commission (NRC) certified facility for disposal of low-level or GTCC waste. Since

much of the GTCC waste is commercial waste and NRC regulated, the designation of such a non-NRC certified alternative for disposal would be inappropriate.

**B. GOVERNORS' POLICY STATEMENT**

1. In the event that centralized interim storage, either private or federal, is deemed necessary, no such facility, whether publicly or privately owned, shall be located within the geographic boundaries of a Western state or U.S. flag island without the written consent of the governor, in whose state or territory the facility is to be located.
2. Any proposal to store or otherwise dispose of radioactive waste and/or SNF must be viewed as being part of an integrated program that considers all aspects of necessary operation and intergovernmental considerations. Specifically, transportation and logistical considerations should not be an afterthought to the siting process.
3. The Governors support efforts by the federal government to examine alternative waste acceptance options, including but not limited to providing funds to utilities for expanded on-site storage and taking title to SNF at individual reactor sites. The search for alternatives must not detract from the imperative to develop a permanent solution to the management and disposition of SNF.
4. The Governors strongly encourage the U.S. Department of Energy to work cooperatively with the states in implementing a policy to ensure the safe transportation, storage, disposition of disposal of spent nuclear fuel and HLW and to comply with agreements which have been negotiated and entered into by a state's Governor regarding the management, transportation and storage of spent nuclear fuel and high-level radioactive waste.
5. Commercial SNF should remain at reactor sites until:
  - One or more storage and/or disposal sites are operational or reprocessing is deemed viable by an independent review.
  - DOE and the nuclear utility companies have worked with states along the waste transportation corridor to implement an acceptable transportation plan for shipping the SNF waste to interim storage facilities or permanent disposal sites.
  - DOE and the nuclear utility companies have put into place adequate infrastructure capacity to handle, store and dispose of this waste.
  - DOE, the U.S. Department of Transportation and the nuclear utility companies have ensured and funded adequate state and local emergency and medical

responder training and resources in case of an accident or terrorist attack while shipping this waste.

6. The creation of interim storage sites for SNF would be a direct result of the Federal government's failure to begin accepting spent fuel on schedule. Therefore, the Governors maintain that it is the federal government's responsibility to ensure adequate preparation for shipments to these facilities, coordination with states, and provision of adequate funding to reimburse the states for costs associated with shipments to any interim storage facility, whether publicly or privately owned. The Governors consider it to be entirely appropriate to use the Nuclear Waste Fund to pay for these activities.
7. Any decisions regarding the identification of an existing or planned site to dispose of GTCC and GTCC- like waste must consider any authority of the regional low-level waste compacts and all applicable NRC requirements for certification to accept commercially generated waste.

**C. GOVERNORS' MANAGEMENT DIRECTIVES**

1. The Governors direct the Western Governors' Association (WGA) staff, where appropriate, to work with Congressional committees of jurisdiction and the Executive Branch to achieve the objectives of this resolution, including funding, subject to the appropriation process, based on a prioritization of needs.
2. Furthermore, the Governors direct WGA staff to develop, as appropriate and timely, detailed annual work plans to advance the policy positions and goals contained in this resolution. Those work plans shall be presented to, and approved by, Western Governors prior to implementation. WGA staff shall keep the Governors informed, on a regular basis, of their progress in implementing approved annual work plans.