



The Secretary of Energy
Washington, DC 20585

October 5, 1992

The Honorable Mike Sullivan
Governor of Wyoming
Cheyenne, WY 82002

Dear Governor *Mike* Sullivan:

Thank you for your letters of August 21 and August 27, 1992, regarding your decision not to continue the study process in Fremont County for the voluntary siting of a Monitored Retrievable Storage (MRS) facility. I appreciate your kind words regarding the professionalism of the Department of Energy staff.

I was pleased to learn the citizens of Fremont County understand that nuclear materials can be and are safely handled on a routine basis. I believe this is a result of the thorough study by the Fremont County Citizen Advisory Group as well as other independent groups who have studied the safety aspects of an MRS facility.

Enclosed are some observations concerning the issues raised in your August 21, 1992, letter to the Fremont County Commissioners. I offer these comments solely for the purpose of identifying the Department's views on important matters that you raised.

I appreciate the participation of the citizens and elected officials of Fremont County in the study process and respect your decision to terminate it at this time.

Sincerely,


James D. Watkins
Admiral, U.S. Navy (Retired)

Enclosure

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DOE RESPONSES TO MATTERS OF CONCERN TO GOVERNOR SULLIVAN
AS STATED IN HIS LETTER TO FREMONT COUNTY COMMISSIONERS
DATED AUGUST 21, 1992

Statements

- 6)(a) "Can we and are we willing to trust the federal government's assurances that the MRS site will be temporary? Can we be paid enough or place enough in trust to accept a permanent repository that was intended to be temporary? It is my belief we cannot."
- 6)(d) "Can we trust the federal government or the assurance of negotiation to protect our citizens' interests? To do so would disregard the geographical voting power in Congress and 100 years of history and experience."
- 6)(e) "I am absolutely unpersuaded that Wyoming can rely on the assurances we receive from the federal government."
- 6)(c) "Can we take comfort from the DOE record of nuclear facilities in the West? I think not."

Issues

Trust in the Federal Government and Department of Energy (DOE) credibility.

Response

The voluntary siting process established by Congress is unique in that, rather than the Federal Government deciding, announcing, and defending a siting decision, it is inviting States and tribes to voluntarily participate. This innovative concept was established specifically to engender trust and confidence in the Federal Government by making State and local governments an integral part of the proceedings. So, not only is participation voluntary, it is bilateral. The program is not based on assurances from the Federal Government, it is based on a mutual negotiation of terms. The trust or assurances that either the State or Federal Government may consider necessary will have to be designed into any negotiated agreement, or there will be no agreement.

Specifically with respect to DOE facilities, a new culture exists in the Department which demands excellence in performance, openness in dealing with State and local governments, and full compliance with environmental, health and safety requirements. The Department has made great strides in this area and is committed to conducting its business in a manner which further increases the level of trust and confidence of the American people.

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Statement

6)(a) "Does the national policy which was initially designed to place the MRS in the East near the point of origination of the waste and now appears to target the West continue to make sense?"

Issue

Targeting the West for an MRS site.

Response

There is no policy targeting the West for an MRS site. The MRS siting process is open to jurisdictions and Indian tribes in all 50 States. Most of the more than 20 grant applications that have been received so far have been from the Midwest and Western United States, but jurisdictions in the Eastern United States have expressed interest as well.

Statement

6)(a) "Does a policy, which the Nuclear Regulatory Commission states is not required for public health and safety, i.e. transporting a portion of the waste from the approximately 70 points of storage halfway across the country to a "temporary" site only to be moved again if and when a permanent site is established, represent appropriate national policy? If the storage of the waste is as safe and as benign as represented, does it not make better sense to leave it where it is...?"

Issue

Need for an MRS.

Response

Department studies have shown that the availability of an MRS facility would offer significant advantages to the waste management system. These include early waste acceptance, reliability, flexibility, and cost savings. These benefits would be achieved regardless of its location. The Department agrees with the conclusions reached by the Nuclear Regulatory Commission, the General Accounting Office, and the Monitored Retrievable Storage Review Commission that temporary storage of spent nuclear fuel at reactors is safe; however, the Department strongly disagrees with any implication that storage at more than 70 reactor sites is preferable to centralized storage at a facility built expressly for that purpose. While an MRS may not be the only solution to temporary storage prior to permanent geological disposal, DOE believes it is by far the best solution.

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OFFICE OF CIVILIAN RADIOACTIVE WASTE MANAGEMENT
SPECIAL INSTRUCTION SHEET

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