

Congress of the United States
Washington, DC 20515

March 15, 2016

The Honorable Stephen G. Burns
Chairman
Nuclear Regulatory Commission
Washington, DC 20555

Dear Chairman Burns,

I write regarding the proposed truck transportation of liquid nuclear waste from Ontario's Chalk River Research Reactor to the Department of Energy's Savannah River Site. I have serious concerns about this proposal, including the wisdom of using one of the Nuclear Regulatory Commission's approved transportation routes, which proceeds through a high-risk area in my district.

The liquid nuclear waste that DOE plans to begin shipping is highly radioactive, and complicating matters, it has never before been shipped by truck or in the transport cask that your agency recently approved. Furthermore, in contrast to solidified spent nuclear fuel, the material's liquid form could vastly exacerbate the consequences of a spill and the ability to contain it. A recent component failure during preparation of another spent fuel shipment at Chalk River, reportedly due to faulty welding, demonstrates that the risks of an accident are far from remote.

In spite of the unprecedented nature of this shipment, DOE determined a new environmental assessment was not required, instead relying on a twenty year old pre-9/11 analysis, which includes an NRC transportation route that was not approved with this type of shipment in mind.

The decision also preempts Congressional oversight. On October 20, 2015, the House of Representatives passed HR 3350 by a vote of 416-0, requiring the Department of Homeland Security to perform a terrorism threat assessment regarding the transportation of chemical, biological, nuclear and radiological materials through the United States.

The route in question would take up to 150 of these shipments over the Peace Bridge, a major international border crossing, and through downtown Buffalo. An attack or accident involving these shipments could potentially contaminate the Great Lakes, which provide 84% of North America's surface fresh water.

And an event occurring in a densely populated urban area like downtown Buffalo would have obvious and devastating consequences. In addition to sitting along two Great Lakes, the Buffalo-Niagara region is home to four international bridge crossing and the Niagara Power Project, which serves as the largest electricity producer in New York State.

In recognition of the danger associated with transporting this material through a high risk area, I respectfully request that your agency remove this route from consideration for the planned liquid nuclear waste shipments. Failing to reconsider would run counter to the mounting public and Congressional concern over these actions.

Thank you for your time and attention to this matter.

Sincerely,

A handwritten signature in blue ink that reads "Brian Higgins". The signature is stylized with a large initial "B" and a long horizontal stroke extending to the right.

Brian Higgins
Member of Congress