Mr. Chairman and Members of the Subcommittee:

Thank you for the opportunity to present my organization's views on this important, complex, and difficult subject. We very much appreciate the Committee's interest in exploring actions that can be taken by Congress to resolve this country's current nuclear waste storage problem.

I am Don Hancock of Southwest Research and Information Center ("SRIC"), which is a private, nonprofit organization, incorporated in New Mexico. For 48 years the organization, among many other environmental justice issues, has been involved nationally in various aspects of the nuclear waste problem.

Based on that history, there are five important lessons that must be well learned to develop solutions.

1. Commercial spent fuel always has been generated without the essential scientifically sound, publicly accepted program for safe disposal of the very large amounts of radioactivity that endanger public health for thousands of generations. Since 1971, announced repository "solutions" have failed for technical reasons that generated substantial public opposition that prevented such sites from being constructed and operated.

2. There is not consensus about health and safety standards, including whether commercial spent fuel is safe where it is. If waste is safe where it is, why move it? If it's not safe where it is, why would it be safe to transport through many other communities and to be stored elsewhere?

3. In our federal government system, storage and disposal facilities require consent. But no state has volunteered for spent fuel repository or Monitored Retrievable Storage ("MRS") sites. Many states have clearly not consented to hosting such facilities. Nevada has made very clear that its technical and legal objections will prevent Yucca Mountain from ever receiving spent fuel, and Congress should formally repeal the selection of Yucca Mountain as a repository site.

4. Without a repository program, spent fuel will continue to stay at or near reactor sites for decades, including at closed reactors, unless the nuclear industry is willing to volunteer its own reactor storage sites. Thus, improved storage measures are needed to better protect public health and the environment, which is what my organization and hundreds of others have advocated for years.

Attached to my testimony are Principles for Safeguarding Nuclear Waste at Reactors. For example, at the San Onofre Generating Station spent fuel should be moved away from the ocean to higher ground storage in a robust, atmospherically controlled building.

5. New Mexico, where the majority of the population are people of color, has borne a disproportionate share of negative impacts of the nuclear fuel chain, including contamination and resulting health impacts from:

* The world's first nuclear bomb test in 1945
* Uranium mining and processing starting 70 years ago
* Los Alamos National Laboratory, and
* The nation's only geologic repository, the Waste Isolation Pilot Plant ("WIPP") for defense transuranic (plutonium-contaminated) waste.

However, New Mexico has never had a commercial nuclear power plant. When spent fuel was proposed for WIPP, New Mexicans said no and the 1992 WIPP Land Withdrawal Act explicitly prohibits such waste. New Mexicans said No to a spent fuel storage site proposed on the Mescalero Apache Reservation in the 1990s. And we're saying NO to Holtec International's proposal to have a site for more commercial spent fuel than currently exists. Continuing targeting of New Mexico is not scientifically sound, is not publicly accepted, and is an environmental injustice.

I would be pleased to further discuss those lessons and answer your questions.