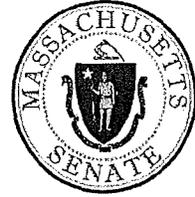


THE COMMONWEALTH OF MASSACHUSETTS
OFFICE OF THE ATTORNEY GENERAL
OFFICE OF THE SENATE PRESIDENT



MARATHA COAKLEY
ATTORNEY GENERAL



Therese Murray
President

March 21, 2011

The Honorable Steven Chu
Secretary
U.S. Department of Energy
1000 Independence Avenue SW
Washington, D.C. 20585

The Honorable Gregory B. Jaczko
Chairman
U.S. Nuclear Regulatory Commission
11555 Rockville Pike
Rockville, MD 20852

Re: Storage of Spent Nuclear Fuel

Dear Secretary Chu and Chairman Jaczko:

In light of the tragic safety breaches and fires at Japan's Fukushima Daiichi plant, we are writing to urge the Department of Energy (DOE) and Nuclear Regulatory Commission (NRC) to reexamine the safety implications of wet storage of spent fuels at nuclear power plants here in the U.S., particularly at the Pilgrim and Vermont Yankee plants that are in or near the Commonwealth of Massachusetts. In addition, we ask the NRC and Secretary Chu's Blue Ribbon Commission on Nuclear Waste to swiftly address the nuclear waste storage issue.

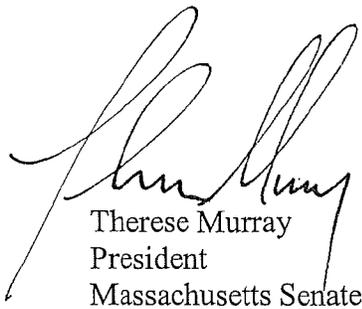
Pilgrim and Vermont Yankee both use the same kind of fuel storage as Fukushima. Over the past five years, the Massachusetts Attorney General's Office has repeatedly asked the NRC to rescind its finding that wet fuel on-site dense storage does not create a risk of environmental impact, and consider mandating additional dry cask storage. Despite our continuous advocacy for the NRC to consider alternative storage at these plants, the NRC has refused to do so – saying that the risk of breach and fire is “insignificant.” The events in Japan show that a breach can occur, and we are asking the NRC to revisit that assessment.

We are pleased that President Obama has directed the NRC to conduct a comprehensive safety review of all of the nuclear power plants in the U.S. Each time the Commission has rejected our premise that wet storage poses a risk, it has cited studies, but then refused to disclose the full studies to us. In conducting the review that the President has requested, the Commission should be transparent regarding the facts, studies and opinions it considers.

Although Secretary Chu has established a Blue Ribbon Commission to study options for disposal of nuclear waste, we are deeply concerned that the federal government has not fulfilled its obligation to begin removal of nuclear waste in 1998, pursuant to the Nuclear Waste Policy Act of 1982 (NWPA). Under the Act, all generators of nuclear power were required to begin paying 1/10 of a cent per kilowatt hour of electricity generated into a spent nuclear fuel fund (SNF). Massachusetts customers have paid into this fund, which today holds \$24 billion.

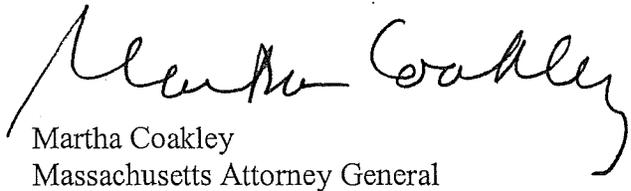
Across the country, nuclear generators continue to pay into a spent nuclear fuel fund to support a federal central repository for spent fuel and highly radioactive waste that does not exist. We urge you to swiftly address the storage problem. The federal government should immediately consider mandating additional dry cask storage, finding and siting interim central repositories, and determining whether the SNF should be used to facilitate these solutions. We expect the federal government to comply with the NWPA and remove this material from our generation facilities and decommissioned sites in a timely matter.

Nuclear power can and should play an important part of meeting our future energy needs. However, the federal government should ensure that these plants are safe and that their decisions are transparent. We are urging you to re-evaluate these issues in light of the events in Japan.



Therese Murray
President
Massachusetts Senate

Cordially,



Martha Coakley
Massachusetts Attorney General