

VICTOR ATIYEH
GOVERNOR



OFFICE OF THE GOVERNOR
STATE CAPITOL
SALEM, OREGON 97310

June 3, 1986

The Honorable Mark O. Hatfield
U. S. Senator
Room 322 Hart Senate Office Building
Washington, DC 20510

Dear Mark,

President Reagan has chosen to upgrade Hanford from fifth among five to one of the top three candidate sites for a permanent repository for the nation's high level radioactive wastes.

I want to inform you now of actions I have taken or will take in response to that decision. I ask for your continued strong support of measures that will assure that Oregon's interests and concerns fully are addressed in current and future studies of this critical issue.

- At this time, the State of Oregon intends to make a court challenge of the U. S. Department of Energy's (USDOE) re-ranking of the five candidate sites. Attorney General Dave Frohnmayer, at my request will take whatever action is necessary to represent Oregon's interests in that challenge.
- I am asking that USDOE dedicate \$2.5 million over the next five years to finance Oregon's direct involvement in USDOE's technical review of the Hanford site.

There are some who believe -- and I do not blame them -- that the decision that upgraded Hanford from fifth among five sites to one of three finalist sites involved some remarkable sleight-of-hand. Somehow, Hanford jumped from dead last to a three-way tie for first.

Moreover, the President said that USDOE will make no further effort to find a site for a second repository. How that will withstand the mandate in the Nuclear Waste Policy Act remains to be seen. Federal law says there shall be two repositories.

Senator Mark Hatfield
June 3, 1986
Page 2

I believe the President has been ill-advised. I believe USDOE is wrong. Oregonians want to know why Hanford -- a site that USDOE concedes has serious flaws -- still is in the running.

Oregonians want to know why there will be no search for a second repository.

Oregonians want to know why the West must bear the burden of accommodating the entire nation's nuclear wastes.

Hanford is not and never will be the best site for a permanent repository. The convoluted reasoning by which the Secretary of Energy recommended Hanford as a finalist site does nothing to change my mind.

But neither does that change reality. Reality is that U.S. commercial reactors will have produced and accumulated 77,000 tons of spent fuel by 2010. That nuclear waste has to be stored somewhere -- safely and permanently for tens of thousands of years.

When Hanford was among nine candidate sites in 1984, and among five candidate sites this year, I took a responsible and realistic position. If a fair and impartial scientific and technical study -- untainted by politics and strident polemics -- made a persuasive case that Hanford should remain a viable candidate, I would not oppose more studies.

And, until last Wednesday, I was comfortable with the clear and detailed decision process mandated by Congress in 1982.

But, clearly, USDOE has played fast and loose with the rules.

When there were five candidate sites, one was east of the Mississippi. When the list of five was narrowed to three -- there was none east of the Mississippi.

Now, with the search for a second repository on a so-called "indefinite hold", all sites east of the Mississippi have been eliminated from consideration.

There are 16 operating commercial reactors west of the Mississippi River. There are 84 such reactors east of the Mississippi. The eastern reactors have produced more than 80 percent of the nation's accumulation of spent nuclear fuel.

Senator Mark Hatfield
June 3, 1986
Page 3

Somehow, USDOE has concluded that the West is to be the dumping ground for 100 percent of the waste. Reactions in the West have been 100 percent predictable -- and with just cause.

Oregon must have direct funding to be a full participant in the federal technical studies.

In mid-June, I intend to meet with Ben Rusche, director of USDOE's Office of Civilian Radioactive Waste Management. It is time that Mr. Rusche and I talk frankly about USDOE's "short end of the stick" attitude toward Oregon.

Since 1983, I repeatedly have sought direct USDOE funding for Oregon's involvement in the decision process that could choose Hanford as the final resting place for the nation's nuclear waste.

Despite the real and legitimate concerns we have about the implications of such a decision, my repeated requests for direct funding have been stonewalled. We have been obliged to ask Washington State to share their study funds with us.

Governor Gardner was not obliged to do that -- but he did. And, that agreement would have given us sufficient funding to do our work so long as Hanford remained fifth-ranked among the five candidate sites.

Last week's decision changes all that. Now, Hanford simply has to be considered a front runner, if not the most likely choice. According to law, the final choice will be made by the President of the United States in five to eight years.

I have asked USDOE for \$2.5 million in direct, dedicated funding for our Hanford studies over the next five years.

We need this level of federal commitment so we can reach our own conclusions on the impacts of a Hanford repository on groundwater and the Columbia River and on transportation. We need funding for public involvement, so the people of Oregon know what we know when we know it. And, we need funding for guidance from the Attorney General on how to most effectively participate in the federal process.

Senator Mark Hatfield
June 3, 1986
Page 4

We need this money to do the job that must be done. Oregon's interests simply cannot and will not be ignored.

I believe this is a fair and reasonable request. Oregon electric ratepayers have, in effect, prepaid this expense. The Trojan Nuclear Plant has been assessed \$45 million by USDOE since 1976. The assessment is to help pay the cost of USDOE's search for a permanent storage place for high level wastes, including spent fuel from commercial reactors.

I believe that returning about 5 percent of what we already have paid into the fund is not unreasonable. And, my request amounts to one-quarter of 1 percent of USDOE's \$1 billion price tag for the Hanford site characterization study.

There is no doubt in my mind that Oregon's interests and concerns must fully be addressed in the Hanford study. To ask Oregon ratepayers to pay again -- is simply not acceptable.

I ask you to join me in my request for USDOE direct funding.

The President's announcement last week is not the end of the story. It is the next-to-last chapter. The studies of the three candidate sites will take five to eight years -- and cost \$3 billion.

I still do not believe Hanford has been shown to be among the better sites. Spending \$1 billion on more Hanford studies will not make it a better site. But, if the Hanford study is to proceed, and Oregon's interests are to be protected, Oregon must be involved in that work.

There is a long road ahead. There is an enormous amount of work to be done. I will challenge USDOE's decision to re-rank Hanford. I will press again our case that Oregon must have direct USDOE funding for strong and effective involvement in technical reviews. I ask your support in this effort.

Sincerely,

Victor Atiyeh
Governor

PS. Attached for your information is a detailed chronology of Oregon's long involvement in Hanford issues and other radioactive waste issues. The chronology reflects our perspective. It does not account for all the substantial efforts you and others in the Delegation have made in our behalf.

VA:so