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HOUSE JOINT MEMORIAL 4035

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State of Washington

54th Legislature

1996 Regular Session

By Representatives Hickel, Mitchell, Scheuerman, Conway, Campbell and Regala

Read first time 01/11/96. Referred to Committee on Agriculture & Ecology.

1 TO THE HONORABLE WILLIAM J. CLINTON, PRESIDENT OF THE UNITED  
2 STATES, AND TO THE PRESIDENT OF THE SENATE AND THE SPEAKER OF THE HOUSE  
3 OF REPRESENTATIVES, AND TO THE SENATE AND HOUSE OF REPRESENTATIVES OF  
4 THE UNITED STATES, IN CONGRESS ASSEMBLED, AND TO THE SECRETARY OF  
5 ENERGY, AND THE SECRETARY OF STATE:

6 We, your Memorialists, the Senate and House of Representatives of  
7 the State of Washington, in legislative session assembled, respectfully  
8 represent and petition as follows:

9 WHEREAS, The United States Department of Energy and the United  
10 States Department of State are jointly proposing to adopt a policy to  
11 manage spent nuclear fuel from foreign research reactors; and

12 WHEREAS, Nuclear fuel in the United States of America would be  
13 covered by this policy; and

14 WHEREAS, The purpose of this policy is to promote United States  
15 nuclear weapons nonproliferation policy objectives, specifically  
16 seeking to reduce highly enriched uranium from civilian commerce; and

17 WHEREAS, The Senate and the House of Representatives of the State  
18 of Washington do not oppose the nonproliferation policy objectives of  
19 the United States; and

1       WHEREAS, The environmental effects and policy considerations of  
2 three alternative management approaches for implementation of the  
3 proposed policy are assessed; and

4       WHEREAS, Alternative number one would be the acceptance and  
5 management of the spent nuclear fuel by the Department of Energy in the  
6 United States; and

7       WHEREAS, Under alternative number one, the spent nuclear fuel would  
8 be shipped by ocean-going vessels from foreign countries to the United  
9 States of America; and

10       WHEREAS, The Port of Tacoma is considered one of ten ports through  
11 which the shipment of spent nuclear fuels would occur; and

12       WHEREAS, The Draft Environmental Impact Statement (DEIS) was  
13 prepared to address the Proposed Nuclear Weapons Nonproliferation  
14 Policy Concerning Foreign Research Reactor Spent Nuclear Fuel, and the  
15 DEIS:

16       (1) Has used outdated information about the Port of Tacoma, its  
17 terminals and operations, and the surrounding area;

18       (2) Did not consider the deep water depth in the Puget Sound area,  
19 which will cause substantial problems in recovery of nuclear fuel  
20 shipping containers in case of an accident;

21       (3) Ignored the harm that can be caused to the population and  
22 environment of the area in case of an explosion and fire aboard a  
23 vessel navigating Puget Sound;

24       (4) Did not recognize the status of Commencement Bay as a Superfund  
25 site, the stigma attached to this designation, and the expansion of  
26 this stigma by alternative number one;

27       (5) Ignored the significant cleanup effort by the Port of Tacoma,  
28 the City of Tacoma, and the industries in Commencement Bay and the  
29 associated crippling business interruption issues;

30       (6) Stated that part of this material would be of interest to  
31 unfriendly nations and terrorists, and yet did not provide adequate  
32 risks and consequences information on a complete, explosive breach of  
33 the nuclear fuel by disgruntled persons or terrorists;

34       (7) Did not consider the security aspect of these shipments through  
35 the Port of Tacoma, the City of Tacoma, Pierce County, and the State of  
36 Washington;

37       (8) Did not adequately address life cycle costs, benefits, and  
38 risks of the proposed alternatives; and

1 (9) Ignored the fairness and equity issues of selecting the smaller  
2 ports in lower population areas after implying the risks were virtually  
3 inconsequential; and

4 WHEREAS, The record for the safe operation and handling of nuclear  
5 materials in United States Department of Energy regulated facilities is  
6 less than satisfactory, and there are facilities owned and operated by  
7 the United States government capable of receiving and handling this  
8 nuclear material; and

9 WHEREAS, The United States House Budget Resolution eliminates the  
10 United States Department of Energy thereby creating funding  
11 uncertainties; and

12 WHEREAS, The United States Department of Energy is failing to  
13 provide adequate procedural due process in that it is not making a  
14 record of its hearings; and

15 WHEREAS, The United States Department of Energy has failed to  
16 properly answer a question from a meeting conducted by the Port of  
17 Tacoma in Tacoma on the 22nd of May 1995, pertaining to the effect of  
18 radiation in the environment should a shipping cask be damaged during  
19 the handling process in the port; and

20 WHEREAS, Similar resolutions have been adopted by the Pierce County  
21 Council, the City of Federal Way, and the Port of Tacoma;

22 NOW, THEREFORE, Your Memorialists respectfully pray that the United  
23 States Department of Energy remove the Port of Tacoma, Washington, from  
24 the list of proposed sites for the shipping of spent nuclear fuels.

25 BE IT RESOLVED, That copies of this Memorial be immediately  
26 transmitted to the Honorable William J. Clinton, President of the  
27 United States, the Secretary of Energy, the Secretary of State, the  
28 President of the United States Senate, the Speaker of the House of  
29 Representatives, and each member of Congress from the State of  
30 Washington.

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