



DRAWING BY ROBERT GARDINER

OREGON'S ENERGY ISSUES

BY LLOYD K. MARBET

"I never give them hell. I just tell them the truth and they think it's hell."
 —HARRY S. TRUMAN

Oregon faces a number of important issues. As an anti-nuclear activist and consumer advocate, I find the following issues at the top of my list:

Monitored Retrievable Storage in Oregon

Since the inception of nuclear technology there has been no resolution to the final disposition of high level nuclear wastes produced by both commercial and military reactors. In 1982 Congress passed the Nuclear Waste Policy Act which legislated a process for choosing a deep geologic repository for commercial nuclear wastes. It also provided for a study on whether a Monitored Retrieval Storage Facility (MRS) was needed and feasible to temporarily hold the nation's waste. In 1987, Congress had to amend this act due to the failure of the U.S. Department of Energy to properly implement the site selection process. This amendment led to the creation of the Office of the Nuclear Waste Negotiator with the responsibility of soliciting a voluntary host for an MRS through negotiation with a State or Native American Indian Nation. A well written report entitled "Monitored Retrievable Storage of Spent Nuclear Fuel in Indian Country" by Erickson, Chapman and Johnny, shows this process has evolved into exploiting the tragic economic condition of the Indian Nations. It has also led to the choice of Paiute-Shoshone Indian Reservation, located in Oregon, as one of the candidate sites.

This development has received some attention from the media with the following articles in The Oregonian: June 27, 1993, *Nuclear Nation*; February 28, 1994, *Nuclear Waste May Go to Oregon*; March 6, 1994 editorial *Reject Nuclear Bribery*; and a recent article on March 16, 1994, entitled *Roberts Opposes N-Waste in Oregon*.

While Governor Roberts has finally taken a position against the siting of an MRS in Oregon, up to now there has been little visible opposition by representatives of the state. This may be due to uncertainty as to whether Oregon has legal recourse to stop the siting of this facility on Indian land.

Vocal opposition to Monitored Retrievable Storage in Oregon is greatly needed and gubernatorial candidates should be challenged as to their position on this issue. Oregon should not become a defacto storage site for all of the nation's nuclear waste.

Recently Don't Waste Oregon obtained a copy of a document entitled "Authorization For Project -- Trojan Large Component Removal Project," dated January 19, 1994, which

was submitted to the Board of Directors of Portland General Corporation. This document reveals that, like the owners of the Yankee Rowe Nuclear Plant in Massachusetts, PGE intends to begin dismantling radioactive components at Trojan, to be shipped to Hanford, before it obtains final approval of its decommissioning plan and before the Nuclear Regulatory Commission (NRC) finishes its own rulemaking on setting cleanup standards for decommissioning nuclear plants.

PGE's justification is based on an agreement they have reached with U.S. Ecology Inc. to reduce volume based disposal rates for radioactive waste by 25% for 1994-95, and to avoid "future changes to regulations associated with decommissioning." There is no discussion in this document on how this project will impact workers, who will face the increased risks of radiation exposure, and there is also no discussion on how this project will impact the Columbia River, which is to be used to barge radioactive components to Hanford. There is a discussion, however, on how PGE will respond to concerns of the public with the usual "aggressive Public Relations campaign."

Due to increasing public interest, a third rulemaking hearing was held by EFSC April 6. EFSC invited the NRC to testify at this hearing on the "NRC's reasons for allowing early component removal at Yankee Rowe" because "PGE wishes to remove components early, but Don't Waste Oregon has offered alternate rule language which would prohibit early component removal."

Another revised set of proposed decommissioning rules, dated March 1, 1994, has been drafted by the ODOE and can be obtained by calling Marilyn Forsyth at 1-800-221-8035.

Decommissioning the Trojan Nuclear Plant

Since August of 1993, the Oregon Energy Facility Siting Council (EFSC) has been conducting a rulemaking proceeding in order to create rules which will be used for decommissioning the Trojan Nuclear Plant.

Originally this rulemaking was to end after the conclusion of two public hearings held in early 1994, but in late January, Don't Waste Oregon Committee discovered a memorandum, written by Adam Bless of the Oregon Department of Energy (ODOE), which showed that the original rules proposed by EFSC had in fact been written by Portland General Electric (PGE).

This memorandum also revealed that a representative of PGE, Tom Walt, was directly involved with the ODOE in planning how to manage concerns raised during the hearings.

While EFSC invited the NRC, a proponent of early component removal, to testify in their rulemaking proceedings, there is no evidence of any effort to solicit witnesses who have directly experienced the results of this decommissioning strategy or who are experts holding opposing views. (In order to fully evaluate the impact of early component removal, Don't Waste Oregon has invited Jonathon M. Block, an attorney representing the Citizens Awareness Network in Rowe, Massachusetts, to testify on the NRC's policy of allowing early component removal at the Yankee Rowe Nuclear Plant.)

The people of Oregon and Washington deserve the right to make PGE accountable *before* any action to decommission Trojan is taken on behalf of their corporate stockholders. If you wish more information on this issue, please call Don't Waste Oregon, (503) 637-3549.

Passing the closure costs of Trojan onto ratepayers

On November 8, 1993, Portland General Electric filed a proposed change in rates with the Oregon Public Utility Commission (OPUC) asking for a \$58.9-million annual rate increase, 80% to be placed on residential ratepayers, which includes \$57.9-million annually for the Trojan Nuclear Plant.

This proposed rate increase would treat Trojan as if it is a viable generating resource operating out to the year 2011. Over this time frame it would reward PGE for failure; giving them \$291-million for Trojan cleanup, \$350-million for recovery of their remaining unamortized Trojan investment and \$507-million in profit.

Allowing PGE full cost recovery would foist the responsibility for Trojan's failure upon ratepayers who were misled election after election about Trojan's reliability. In addition, PGE would not be able to demonstrate that it has been financially harmed by Westinghouse Corporation, which sold PGE the faulty steam generators causing the permanent closing of Trojan. This would seriously jeopardize PGE's ability to justify the award of damages against Westinghouse in its lawsuit in federal court in Pittsburgh, Pennsylvania.

Any consideration of rate relief for Trojan should wait until the outcome of this lawsuit is resolved. If PGE gets to charge all Trojan costs to ratepayers, then it can drop its lawsuit against Westinghouse, so the truth about Trojan's construction will never come to light.

In 1978 Oregon voters passed Ballot Measure 9 which prohibited utilities from charging ratepayers for resources "not presently used to provide service to the customer." In February of 1993, PGE asked the OPUC to make a declaratory ruling on whether it would allow PGE recovery of the capital and non-capital costs associated with Trojan, through 2011. The OPUC

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