

STATE OF ALASKA

THE LEGISLATURE

1988

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Resolve No.

HCS SJR 42 (HESS)

97



Relating to the use of state airports for plutonium shipments under a proposed United States agreement with Japan.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF ALASKA:

WHEREAS plutonium is a long-lived, highly radioactive, and extremely toxic material that is used to construct nuclear weapons and as fuel in nuclear reactors; and

WHEREAS the proposed Agreement for Cooperation between the Government of the United States of America and the Government of Japan Concerning Peaceful Uses of Nuclear Energy establishes a 30-year nuclear cooperation agreement that would permit the shipping of plutonium as reprocessed reactor fuel from reprocessing plants in Europe to Japan; and

WHEREAS the shipments would begin by air carrier in the early 1990's and would occur every two weeks in amounts of 500 to 600 pounds each, which is enough plutonium to build 40 bombs of the size dropped on Nagasaki, Japan at the end of World War II; and

WHEREAS the plutonium would be shipped in the form of plutonium oxide powder, and the amount of the powder that is the size of a sugar cube can cause 3,000,000 fatalities from lung cancer; and

WHEREAS the polar route planned for the shipments may necessitate emergency landings in Alaska, and emergency landings are the major concern of Alaskan citizens; and

WHEREAS a cask for the economical and safe transportation of plutonium that meets the requirements of the Nuclear Regulatory Commission has not been developed; and

WHEREAS the cask standards of the Nuclear Regulatory

Commission may be overlooked in favor of the standards of the International Atomic Energy Agency that require the cask to meet only 1/10th of the impact velocity required by the Nuclear Regulatory Commission; and

WHEREAS a cask that met the standards of the International Atomic Energy Agency recently failed a test that simulated an airplane crash; and

WHEREAS a cask should not be considered safe unless the cask loaded with test materials can survive both a test crash of a cargo aircraft that has been fully loaded with full-scale samples of loaded casks, and a test drop from the maximum cruising altitude of the aircraft; and

WHEREAS both the United States Senate Foreign Relations Committee and the United States House Foreign Affairs Committee have requested that the President withdraw or renegotiate the proposed agreement because each has independently concluded that the agreement is not consistent with the provisions of 42 U.S.C. 2153(b) (Atomic Energy Act of 1954) which is designed to protect the Nation against unreasonable risks to common defense and security; and

WHEREAS an environmental impact statement has not been prepared for the proposed agreement, although there is court precedent for the proposition that the movement of nuclear fuel qualifies as a major federal action requiring preparation of an impact statement; and

WHEREAS state law (AS 18.45.027) expressly prohibits the transportation of used nuclear reactor fuel except for purposes of disposal outside the state; and

WHEREAS allowing the planes carrying the plutonium to make emergency landings in the state would have tremendous consequences for the health and safety of the state's residents and the protection of the state's environment;

BE IT RESOLVED that the Alaska State Legislature opposes the proposed 30-year nuclear agreement between the United States and Japan that would allow the shipment of plutonium by air between Europe and Japan by polar route, an agreement which could result in emergency landings in the state during the shipments; and be it

FURTHER RESOLVED that the Legislature respectfully requests the Governor to prevent to the greatest extent possible under the authority of AS 18.45.027 the use of state airports for any shipments of plutonium by air between Europe and Japan.

COPIES of this resolution shall be sent to the Honorable Ronald Reagan, President of the United States; the Honorable George Bush, Vice-President of the United States and President of the U.S. Senate; the Honorable Frank C. Carlucci, Secretary of the U.S. Department of Defense; the Honorable John S. Herrington, Secretary of the U.S. Department of Energy; the Honorable George P. Shultz, Secretary of the U.S. Department of State; the Honorable James H. Burnley IV, Secretary of the U.S. Department of Transportation; the Honorable Jim Wright, Speaker of the U.S. House of Representatives; the Honorable Claiborne Pell, Chairman of the U.S. Senate Foreign Relations Committee; the Honorable

Dante B. Fascell, Chairman of the U.S. House Foreign Affairs Committee; the Honorable Lando W. Zech, Jr., Chairman of the U.S. Nuclear Regulatory Commission; the Honorable Steve Cowper, Governor of the State of Alaska; and to the Honorable Ted Stevens and the Honorable Frank Murkowski, U.S. Senators, and the Honorable Don Young, U.S. Representative, members of the Alaska delegation in Congress.