

1 IN THE HOUSE

BY ELLIS, KOPONEN, DAVIDSON,
DAVIS, BROWN AND COLLINS

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HOUSE JOINT RESOLUTION NO. 35

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IN THE LEGISLATURE OF THE STATE OF ALASKA

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FIFTEENTH LEGISLATURE - FIRST SESSION

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Relating to the use of state airports

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for plutonium shipments under a proposed

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United States agreement with Japan.

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

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WHEREAS plutonium is a long-lived, highly radioactive, and extremely

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toxic material that is used to construct nuclear weapons and as fuel in

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nuclear reactors; and

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WHEREAS the United States and Japan are presently negotiating a

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30-year nuclear cooperation agreement that would permit the shipping of

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plutonium as reprocessed reactor fuel from reprocessing plants in Europe to

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Japan; and

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WHEREAS the shipments would begin by air carrier in the early 1990's

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and would occur every two weeks in amounts of 500 to 600 pounds each, which

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is enough plutonium to build 40 bombs of the size dropped on Nagasaki,

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Japan at the end of World War II; and

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WHEREAS the polar route planned for the shipments would necessitate a

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refueling stop in Alaska; and

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WHEREAS a cask for the economical and safe transportation of plutonium

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that meets the requirements of the Nuclear Regulatory Commission has not

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been developed; and

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WHEREAS a loophole in the Atomic Energy Act (42 U.S.C. 2011-2296) may

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allow the cask standards of the Nuclear Regulatory Commission to be over-

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looked in favor of the standards of the International Atomic Energy Agency

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that require the cask to meet only 1/10th of the impact velocity required

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by the Nuclear Regulatory Commission; and

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

3 WHEREAS the shipped plutonium will be in the form of plutonium oxide
4 powder, which is easily airborne, and minute quantities of which, if in-
5 haled, can cause cancer; and

6 WHEREAS the signing of the agreement would substitute a blanket
7 30-year approval for the present case-by-case review process that gives the
8 United States ongoing control over the safety and security of plutonium
9 shipments; and

10 WHEREAS the signing of the agreement would mean United States acqui-
11 escence in the development of a plutonium-fueled nuclear industry, which
12 would result in the increased proliferation of plutonium and the attendant
13 danger of nuclear weaponry falling into the hands of other countries and
14 terrorist groups; and

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

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

21 WHEREAS allowing the planes carrying the plutonium to land in the
22 state would have tremendous consequences for the health and safety of the
23 state's residents and the protection of the state's environment;

24 BE IT RESOLVED that the Alaska State Legislature opposes the proposed
25 30-year nuclear cooperation agreement between the United States and Japan
26 that would allow the shipment of plutonium by air between Europe and Japan
27 by polar route, resulting in refueling stopovers in the state during the
28 shipments; and be it

29 FURTHER RESOLVED that the Legislature respectfully requests the

1 Governor to prevent to the greatest extent possible under the authority of
2 AS 18.45.027 the use of state airports for shipments of plutonium by air
3 between Europe and Japan.

4 COPIES of this resolution shall be sent to the Honorable Ronald
5 Reagan, President of the United States; the Honorable George Bush, Vice-
6 President of the United States and President of the U.S. Senate; the Honor-
7 able Caspar W. Weinberger, Secretary of the U.S. Department of Defense; the
8 Honorable John S. Herrington, Secretary of the U.S. Department of Energy;
9 the Honorable George P. Shultz, Secretary of the U.S. Department of State;
10 the Honorable Elizabeth Hanford Dole, Secretary of the U.S. Department of
11 Transportation; the Honorable Jim Wright, Speaker of the U.S. House of
12 Representatives; the Honorable Lando W. Zech, Jr., Chairman of the U.S.
13 Nuclear Regulatory Commission; and to the Honorable Ted Stevens and the
14 Honorable Frank Murkowski, U.S. Senators, and the Honorable Don Young, U.S.
15 Representative, members of the Alaska delegation in Congress.