

Offered: 4/28/88  
Referred: Rules

5-1079L

Original sponsors: Uehling and Rodey

1 IN THE SENATE  
2 HOUSE CS FOR SENATE JOINT RESOLUTION NO. 42 (HESS)  
3 IN THE LEGISLATURE OF THE STATE OF ALASKA  
4 FIFTEENTH LEGISLATURE - SECOND SESSION  
5 Relating to the use of state airports  
6 for plutonium shipments under a proposed  
7 United States agreement with Japan.  
8 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF ALASKA:  
9 WHEREAS plutonium is a long-lived, highly radioactive, and extremely  
10 toxic material that is used to construct nuclear weapons and as fuel in  
11 nuclear reactors; and  
12 WHEREAS the proposed Agreement for Cooperation between the Government  
13 of the United States of America and the Government of Japan Concerning  
14 Peaceful Uses of Nuclear Energy establishes a 30-year nuclear cooperation  
15 agreement that would permit the shipping of plutonium as reprocessed reac-  
16 tor fuel from reprocessing plants in Europe to Japan; and  
17 WHEREAS the shipments would begin by air carrier in the early 1990's  
18 and would occur every two weeks in amounts of 500 to 600 pounds each, which  
19 is enough plutonium to build 40 bombs of the size dropped on Nagasaki,  
20 Japan at the end of World War II; and  
21 WHEREAS the plutonium would be shipped in the form of plutonium oxide  
22 powder, and the amount of the powder that is the size of a sugar cube can  
23 cause 3,000,000 fatalities from lung cancer; and  
24 WHEREAS the polar route planned for the shipments may necessitate  
25 emergency landings in Alaska, and emergency landings are the major concern  
26 of Alaskan citizens; and  
27 WHEREAS a cask for the economical and safe transportation of plutonium  
28 that meets the requirements of the Nuclear Regulatory Commission has not  
29 been developed; and

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

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

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

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

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

22       WHEREAS state law (AS 18.45.027) expressly prohibits the transporta-  
23 tion of used nuclear reactor fuel except for purposes of disposal outside  
24 the state; and

25       WHEREAS allowing the planes carrying the plutonium to make emergency  
26 landings in the state would have tremendous consequences for the health and  
27 safety of the state's residents and the protection of the state's environ-  
28 ment;

29       BE IT RESOLVED that the Alaska State Legislature opposes the proposed

1 30-year nuclear agreement between the United States and Japan that would  
2 allow the shipment of plutonium by air between Europe and Japan by polar  
3 route, an agreement which could result in emergency landings in the state  
4 during the shipments; and be it

5       FURTHER RESOLVED that the Legislature respectfully requests the Gover-  
6 nor to prevent to the greatest extent possible under the authority of  
7 AS 18.45.027 the use of state airports for any shipments of plutonium by  
8 air between Europe and Japan.

9       COPIES of this resolution shall be sent to the Honorable Ronald  
10 Reagan, President of the United States; the Honorable George Bush, Vice-  
11 President of the United States and President of the U.S. Senate; the Honor-  
12 able Frank C. Carlucci, Secretary of the U.S. Department of Defense; the  
13 Honorable John S. Herrington, Secretary of the U.S. Department of Energy;  
14 the Honorable George P. Shultz, Secretary of the U.S. Department of State;  
15 the Honorable James H. Burnley IV, Secretary of the U.S. Department of  
16 Transportation; the Honorable Jim Wright, Speaker of the U.S. House of  
17 Representatives; the Honorable Claiborne Pell, Chairman of the U.S. Senate  
18 Foreign Relations Committee; the Honorable Dante B. Fascell, Chairman of  
19 the U.S. House Foreign Affairs Committee; the Honorable Lando W. Zech, Jr.,  
20 Chairman of the U.S. Nuclear Regulatory Commission; the Honorable Steve  
21 Cowper, Governor of the State of Alaska; and to the Honorable Ted Stevens  
22 and the Honorable Frank Murkowski, U.S. Senators, and the Honorable Don  
23 Young, U.S. Representative, members of the Alaska delegation in Congress.