

Nuclear Waste Update

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Yucca Mountain Project Close to Dead

Two major developments in the Yucca Mountain project have left it only steps away from being permanently killed.

On February 1, the Obama Administration released its 2011 national budget, which proposes to eliminate all funding to continue the project. The budget document states clearly:

“The administration has determined that Yucca Mountain, Nevada, is not a workable option for a nuclear waste repository and will discontinue its program to construct a repository at the mountain in 2010.”

The same day, Energy Secretary Steven Chu announced that the Department of Energy would file a motion to withdraw its license application from the Nuclear Regulatory Commission.

Chu emphasized that he would seek the withdrawal **“with prejudice”** — a legal definition that would prohibit the license application from being resubmitted later. This would put a legal end to the Energy Department’s plan to store the nation’s nuclear waste at a repository at Yucca Mountain—a project that has been going on for over 25 years and has cost \$38 billion to date. Moreover, it would prevent the project from being revived by future administrations.

Nevada officials were cautiously optimistic about the news. Former Republican Gov. Kenny Guinn said, “It has been a long time coming.” *Continued on page 2 →*



Yucca Mountain, Nevada

Secretary Chu Announces Blue Ribbon Commission on Nuclear Future

On January 29, Energy Secretary Stephen Chu and the Obama Administration announced the formation of a long-awaited commission to study alternatives to burying nuclear waste at Yucca Mountain.



The Blue Ribbon Commission is made up of 15 members and has been given a 2-year timeline to provide recommendations on managing spent fuel and nuclear waste. The plan to form such a commission was first proposed by Secretary Chu last year.

The Commission will make recommendations on issues including alternatives for the storage, processing, and disposal of civilian and defense spent nuclear fuel and nuclear waste. Secretary Chu said the commission would not be looking for specific sites for a repository, but more broadly at the range of options available for handling the nation’s nuclear waste.

“The Administration is committed to promoting nuclear power in the United States and developing a safe, long-term solution for the management of used nuclear fuel and nuclear waste. The work of the Blue Ribbon Commission will be invaluable to this process,” said Chu.

The 15 commission members have a range of expertise and experience in nuclear issues, including scientists, industry representatives, and respected former elected officials. It has two co-chairs: Lee Hamilton and Brent Scowcroft, who, according to the Energy Department, each have a record of tackling tough challenges in a thoughtful, comprehensive manner and building consensus among an array of interests. (see article on page 3.)

The commission has been directed by President Obama to work for the next 18 months and produce its recommendations within two years, although the chairmen have said they hope to finish their work sooner. ❏

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“This is the day we put the Champagne on ice — we’ll pop the cork after the motion is heard and decided,” said Richard Bryan, former Democratic governor and senator. “It’s a great day for the state and a great testament to the state hanging tough and staying the course.”

But several steps must be taken before the project can be officially ended, once and for all.

- First, by March, the Energy Department (DOE) must submit its request to the Nuclear Regulatory Commission’s three-judge panel to withdraw the application with prejudice.

The panel has been reviewing DOE’s application to license the waste repository, a painstaking process that began in 2008 and was still underway, despite President Obama’s indication last year that he intended to kill the project.

Immediately following Secretary Chu’s announcement, the Energy Department asked the panel for a stay in upcoming license hearings, “to avoid the unnecessary expenditure of resources,” according to the legal papers.

- Next, the three-judge panel will consider the withdrawal motion — a key document that would outline the terms of withdrawal and whether the site could be reconsidered in the future.

The parties in the NRC license process, including Nuclear Energy Institute, the states of Nevada and California, and the 10 Affected Units of Local Government, including Eureka County, could file comments or objections. The Nuclear Energy Institute has already indicated that it does not support the project’s termination, particularly with the clause of it never being able to be revived.

- Finally, the panel would issue a ruling that could be appealed, and any decision would be reviewed by the full Nuclear Regulatory Commission.

The future of the Yucca Mountain site

If the project is definitively killed, what would happen to the Yucca Mountain site?

While there are no funds allotted for the repository, Obama’s budget does provide \$55 million to close the site. The budget also calls for the Office of Civilian Radioactive Waste Management, which operates the Yucca project, to be absorbed into the Office of Nuclear Energy at the Department of Energy.

Bruce Breslow, executive director of the Nevada Agency for Nuclear Projects, said the Yucca Mountain site needs to be remediated and returned to its original condition, as required by law.

The buildings need to be removed, the boring holes in the mountain top need to be patched up, and the entrance tunnels need to be filled.

Senator Harry Reid has also asked the Government Accountability Office to begin consultation with the state of Nevada and federal agencies on other uses for Yucca Mountain.

Possible alternative uses for the Yucca facility include: The development of renewable energy technology, training grounds for the military, arms control activities, a lab for underground experiments, or a hide-away for the government in case of emergency.

Federal workers at the Yucca Mountain site will be offered new assignments. Yucca’s staff had already been slashed from 1,400 last year to 625 this year, with just 127 working in Las Vegas.

Withdrawal of the license application should also signal the end of three legal matters pertaining to water rights the Energy Department had sought for the Yucca Mountain Project. Two lawsuits -- one in federal court in Las Vegas and the other in District Court in Tonopah -- deal with water to build and operate the repository.

The future of nuclear waste disposal

If not Yucca Mountain, then what? Secretary Chu has announced the appointments of a Blue Ribbon panel to look into waste disposal alternatives (see page 1).

Chu told Congress that ending the repository program is a turn, and not an end, to the government’s efforts to managing radioactive spent fuel from nuclear plants.

“We are still going to move forward,” Chu said. “We don’t think the pulling of the Yucca application means we are at a standstill, but I do believe there are better solutions.”

Ending the Yucca Mountain project will open the federal government to increased liability charges from nuclear utilities. The government promised utilities to begin removing spent nuclear fuel from their facilities in 1998. Some utilities have already successfully sued.

But the administration is not backing away from nuclear power. In fact, Obama’s new budget triples the federal loan guarantees available for financing new nuclear power plants. In his State of the Union address in late January, Obama welcomed “a new generation of safe, clean nuclear power plants in this country.” ☒

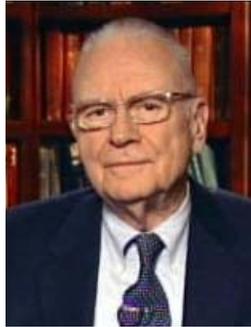
(sources: Las Vegas Sun, 2/2/10, Las Vegas Review Journal, 2/3/10)

For the most up-to-date information on the fate of the Yucca Mountain project, go to Eureka County’s nuclear waste website:
www.yuccamountain.org/new.htm

Who's Who on the Blue Ribbon Commission

Lee Hamilton, Co-Chair

Hamilton represented Indiana's 9th congressional district from January 1965-January 1999. During his time in Congress, Hamilton served as the ranking member of the House Committee on Foreign Affairs, and chaired the Permanent Select Committee on Intelligence. Previously, Hamilton served as Vice Chairman of the 9/11 Commission.



Lee Hamilton

Brent Scowcroft, Co-Chair



Brent Scowcroft

Scowcroft is President of The Scowcroft Group, an international business advisory firm. He has served as the National Security Advisor to both Presidents Gerald Ford and George H.W. Bush. From 1982 to 1989, he was Vice Chairman of Kissinger Associates, Inc., an international consulting firm.

Scowcroft served in the military for 29 years, and concluded at the rank of Lieutenant General following service as the Deputy National Security Advisor.

(source: Department of Energy press release)

The Panelists:

Mark Ayers, President, Building and Construction Trades Department, AFL-CIO

Vicky Bailey, Former Commissioner, Federal Energy Regulatory Commission; former DOE Assistant Secretary for Policy and International Affairs

Albert Carnesale, Chancellor Emeritus and Professor, University of California, Los Angeles

Pete V. Domenici, Senior Fellow, Bipartisan Policy Center; former U.S. Senator (R-NM)

Susan Eisenhower, President, Eisenhower Group, Inc.

Chuck Hagel, Former U.S. Senator (R-NE)

Jonathan Lash, President, World Resources Institute

Allison Macfarlane, Associate Professor of Environmental Science and Policy, George Mason University

Richard A. Meserve, President, Carnegie Institution for Science, and former Chairman, U.S. NRC

Ernie Moniz, Professor of Physics, Massachusetts Institute of Technology; former DOE Under Secretary, 1997-2001.

Per Peterson, Professor and Chair, Department of Nuclear Engineering, University of California, Berkeley

John Rowe, Chairman and Chief Executive Officer, Exelon Corporation

Phil Sharp, President, Resources for the Future

What Are Other Countries Doing With Their Nuclear Waste?

The Nuclear Waste Technical Review Board (NWTRB) recently prepared a report for Congress about how other countries are managing their high-level nuclear waste.

The report looks at the top 13 countries who account for 83% of the world's nuclear power generating capacity. Most of these countries are considering deep geologic disposal for their nuclear waste, but only three countries are close to implementing a repository that is both technically and politically accepted.

Finland, France, and Sweden all currently expect to begin placing radioactive waste in geologic sites within roughly the next 10 to 15 years. Three other countries have a projected timeline of 30 to 40 years from now, but only one of them has yet initiated a process to find a geologic site.

To view the full report, complete with clear and informative comparison charts, please go to:

http://www.nwtrb.gov/reports/nwtrb_survey_rpt.pdf



Nuclear Waste Update

Eureka County Nuclear Waste Repository Program

The Eureka County *Nuclear Waste Update* is published by the Eureka County Yucca Mountain Information Office, P.O. Box 990, Eureka, NV 89316, (775) 237-5707. The purpose of the *Update* is to provide information to the public about issues related to the proposed nuclear waste repository at Yucca Mountain.

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For more information, contact the county's Yucca Mountain Information Office: (775) 237-5707 or email ecyucca@eurekanv.org.

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