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NRC nominees won't stand in way of Yucca Mountain shutdown

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WASHINGTON -- Three officials nominated to fill seats on the Nuclear Regulatory Commission indicated this week that they would not stand in the way of a shutdown of the Yucca Mountain nuclear waste program.

But one suggested that because it now looks as if radioactive spent fuel will remain at power plants for the foreseeable future, their steel-and-concrete storage canisters should be checked for safety.

"When we first started storing spent fuel at reactor sites, nobody was thinking it was going to be there for 100 years," said William Magwood, a former Department of Energy official. "I think we have to go back and take a look at what we have in place now and assure ourselves it is able to stay in place another 50 years if necessary."

The NRC has indicated that nuclear waste can remain on site for decades at least. But if there are places where it might not stay safe that long, Magwood said, he would call for "corrective action as soon as possible."

At a Senate hearing Tuesday, Magwood and two other NRC nominees said they would not "second-guess" a decision by the Obama administration to withdraw a license application for the Yucca Mountain waste repository that is pending at the commission. The administration has created a blue-ribbon commission to recommend alternatives for waste management.

Sen. Barbara Boxer, D-Calif., chairwoman of the Environment and Public Works Committee, posed the question. She said it came from Sen. Harry Reid, D-Nev., who is engineering the Nevada project shutdown with administration officials.

"You can just answer yes or no: If confirmed, would you second-guess the Department of Energy's decision to withdraw the license application for Yucca Mountain from the NRC's review?" Boxer asked.

Magwood, former director of the Office of Nuclear Energy at the Department of Energy: "No."

George Apostolakis, nuclear science and engineering professor at the Massachusetts Institute of Technology: "No."

William Ostendorff, former principal deputy administrator at the National Nuclear Security Administration: "No."

Boxer said she expected a speedy confirmation for Apostolakis, Magwood and Ostendorff, who were nominated by President Barack Obama to fill three seats on the five-member NRC board.

The exchange at the hearing means that, if confirmed, a majority of the NRC board will be on record that they will not intervene to keep the Yucca project alive.

Reid wanted to get the nominees on record saying just that, spokesman Jon Summers said. Reid sought acknowledgement "that as regulators they are in no position to question DOE's decision to withdraw the license application for Yucca," Summers said.

A fourth member of the NRC board, Chairman Gregory Jaczko, may also be expected not to intervene. Jaczko worked as Reid's science adviser before being sworn onto the commission in January 2005.

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