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Photo: [Yucca Mountain](#)

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## Las Vegas SUN

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# New light on Yucca

## Congress wants to get over the mountain on nuclear waste

**By Lisa Mascaro**

Las Vegas Sun

Slowly and quietly, a 20-year logjam on Yucca Mountain and nuclear energy is breaking.

There have been no announcements or sudden movements, but the signs are clear. The nuclear energy industry is revving up with plans to build the first nuclear power plants in this country in three decades. The issue of nuclear waste disposal at Yucca Mountain is closely tied to that progress.

Legislation pending in Congress would provide an alternative to creating a permanent waste repository at Yucca Mountain. If approved, the legislation will allow for creation of interim storage sites around the country, a step that would remove the handcuffs from an industry that has been barred from building new nuclear plants until the nation finds a way to store the waste. It is now stacked up at each of the nation's 104 nuclear plants.

Yucca Mountain, now nearly 20 years behind schedule, is currently the only option as a storage site. The government has refused to create any alternative for fear it would slow development of Yucca.

Now, however, lawmakers and others are recognizing that Yucca's delays could be indefinite, if not permanent.

Constellation Energy and AREVA, a partnership established last year to build nuclear reactors, announced two weeks ago that

**ALL IN GOOD TIME** The opening date for Yucca Mountain as a storage site has been changed many times: **1982:** Congress passes the Nuclear Waste Policy Act establishing the development of two national repositories for nuclear waste. Scheduled opening 1998. **1987:** In what became known as the "Screw Nevada" bill, Congress names Nevada's Yucca Mountain as the only site to be studied and drops plans for interim storage elsewhere. **1989:** The Energy Department moves the repository opening date to 2003. **1994:** The Energy Department moves the repository opening date to 2010. **2000:** The Senate falls one vote short of overriding President Bill Clinton's veto of interim waste storage in Nevada. **2002:** Congress passes the Yucca Mountain Development Resolution naming the site as the national repository. **2006:** The Energy Department moves the repository opening date to 2017. New plans for interim storage are proposed.

they have placed orders for the heavy steel forgings necessary to build the first new nuclear power plant in the United States since the 1970s. At least 20 reactors are under discussion around the nation.

But none can be built until the waste disposal issue is addressed. Many backers of the interim storage legislation, including Republican Sen. Pete Domenici of New Mexico, insist that it is merely a way to let the energy industry move forward while Yucca is developed. In fact, separate legislation to get Yucca back on track is also pending before Congress.

Domenici, the Senate's leading nuclear power advocate, also argues that the interim solution would give the Energy Department time to push ahead with research into a new form of waste reprocessing that could change the equations involved in storing the waste permanently.

But not all supporters of the legislation agree with Domenici. If they did, you could expect to see much teeth gnashing from Sen. Harry Reid, D-Nev., and the army of Nevada elected officials opposed to developing Yucca.

Instead, they are grinning like Cheshire cats. They think that interim storage sites might not be all that "interim."

History is on their side. It shows that creating a site - any kind of site - to store nuclear waste is a big step. From there, it's but a short step for "interim" to evolve into "permanent." When interim storage was debated 20 years ago, opponents made their case by arguing what was known as the law of nuclear waste - wherever the waste lands, that's where it stays.

You won't hear Nevada officials using that language, for fear of stirring up opposition. But what you do hear is an industry increasingly interested in alternatives.

"There was an expectation in the '80s and '90s we were going to have a repository fairly soon," said Steven P. Kraft, senior director of used fuel management for the Nuclear Energy Institute, the main lobbying arm of the nuclear industry. "Now people are so frustrated about the lack of progress in a repository they're beginning to think about what kind of facilities we need to accept this material."

Gov. Kenny Guinn summed up the state's view last week in an opinion piece in the Reno Gazette-Journal. The legislation "implicitly recognizes for the first time that the country is on the wrong track in its approach to dealing with spent nuclear fuel and high-level radioactive waste," he said.

"Although the battle is not yet over," he wrote, "I am very encouraged by the new thinking and direction in Congress."

Yucca Mountain researcher Allison Macfarlane now gives Yucca Mountain a 50-50 chance of ever opening.

She believes the pending legislation is simply a way to address the reality - that waste has stacked up at power plants across the nation and is not likely to move from there any time soon.

"This is the de facto interim solution," said Macfarlane, an associate professor of environmental science and policy at George Mason University in Washington, who co-wrote a book on Yucca Mountain this spring. "It could go either way with Yucca Mountain ! There's a good possibility it will fail."

What a difference a generation makes. In 1987, most of the country outside of Nevada breathed a sigh of relief when Congress put Yucca Mountain on the short list to house the nation's waste. No one wanted the dump in their back yard.

When Yucca missed its first opening deadline and waste kept piling up, President Bill Clinton vetoed a 2000 proposal led by Republican House Speaker Dennis Hastert for temporary storage in Nevada.

Now Yucca is uncertain, and interim storage plans would dump waste in many back yards. Any of the 31 states with nuclear reactors could be designated by the federal government as an interim site where waste could be stored for up to 25 years under the legislation.

As a result, various governors have dashed off letters urging the Energy Department to move ahead with Yucca.

At a House committee hearing last month, Republican Rep. John Shimkus of Illinois, the state with more nuclear waste than any other, put it bluntly: "That's the stupidest idea I ever heard of and we cannot go there."

"Certainly, there's been a fair expression of concerns," said Charles Pray, a former Energy Department official in the Clinton administration who now serves as Maine's nuclear safety adviser. "It's taking us right back to the early 1980s when Congress directed the Department of Energy to find a national repository."

For Domenici, it's all about the math. Even if Yucca Mountain gets up and running by 2017 as now planned, it will still take decades to move all of the waste now sitting at nuclear reactor sites nationwide - a point he reiterated in a letter Monday to one of the governors. Plus more waste is being generated each day - at a rate of 2,000 metric tons a year.

Every day the waste sits, the government amasses enormous financial liability for not opening Yucca on time - or providing some other storage solution. Nuclear power companies nationwide have sued to recover the cost of continuing to store the waste near their plants, and the government is bracing for \$7 billion in court-ordered payouts until Yucca opens.

Domenici and the Bush administration envision a sweeping change in the way the nation treats its waste,

with the waste making a midway stop rather than going directly into permanent storage.

Instead, it would be recycled, converted back into fuel. That cycle could be repeated many times before it reaches a form so depleted that it cannot be recycled again. That final, spent waste would be much less toxic than existing leftovers.

At that point, in the opinion of Domenici and the Bush administration, the stuff should go to Yucca.

Skeptics in the scientific community say the idea is preposterous, as do environmentalists and others who seek to prevent construction of any more nuclear plants.

The kind of recycling being advocated was shelved by this country nearly 30 years ago, the critics say. The science involved is unproven and the technology does not exist. To pump the billions of dollars into trying to develop the technology would be an enormous waste.

But Bush promoted the new form of recycling earlier this year, and the Energy Department announced this month that it was soliciting ideas to begin the research.

"There's always interest in these proposals," said Craig Nesbit, spokesman for Exelon Nuclear, the nation's largest nuclear energy company. "It's never a bad idea to look at all your options."

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