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Nye girds for Yucca closure

By MARK WAITE
PVT

The approval of 17 annual contracts totaling \$2.2 million for the Nye County Yucca Mountain Project oversight program were routinely approved by county commissioners this past month as usual.

But this time it's questionable whether there will be funding.

The license agreement is still pending for the Yucca Mountain project, of which Nye County is a cooperating agency. But a blue ribbon panel expected to be appointed by President Obama may recommend scrapping the repository project altogether.

"There's a lot of rumors about the project, but at this point we have to be prepared for the licensing proceeding," Darrell Lacy, director of the Nye County Nuclear Waste Project Office told commissioners. "If something happens, we are in a position to shut these contracts down immediately."

Nye County can terminate the contracts with a 30 day-notice for no cause.

The amount is a reduction from \$2.9 million in contracts approved last year. The request for the agenda item said: "Due to the potential shut down of the YMP this year's requested dollar amount of contracts has been reduced by \$875,794."

"Until such time as its fate is known, Nye County will need contractors to enable an adequate critique of DOE's license application and to support our contentions to protect Nye County interests. If the program is terminated, Nye County will need contractors to define and implement mitigation/mediation efforts to minimize impacts to the county," Lacy's report said.

Yucca Mountain consulting contracts have been routinely awarded without competition every year. The county said that is due to the technical expertise and years of experience these consultants have with the U.S. Department of Energy, the Nuclear Regulatory Commission, the Yucca Mountain Program, commercial nuclear power plants, the military and other consulting experience.

Cash Jaszczak, who has a \$160,000 contract for the next year as planning and policy support consultant, expressed concern about the budget after a leaked document which was highly publicized in October, from Steve Isakowitz, chief financial officer for the DOE. It lists a fiscal year 2011 budget request to the Office of Management and Budget of only \$46,200 for the Office of Civilian Radioactive Waste Management, of which \$21,200 is for site remediation and worker transition, and \$25,000 for the archiving of data associated with the Yucca Mountain program.

"You're not going to lay people off based on rumors," Lacy said in a followup interview after the commission

meeting.

Officials with the Yucca Mountain program are awaiting the president's budget request for the official 2010-11 fiscal year figures, which is expected to be submitted in February, he said.

In addition to the 17 consultants, Nye County has 13 full-time, salaried positions in the nuclear waste project office, Jaszczak said.

"The Nuclear Waste Policy Act is still the law of the land. That has not gone away. The Nuclear Waste Policy Act has been followed every step of the way, every time there was a big pronouncement by the DOE that was in response to a provision in the law. DOE didn't make any of this stuff up," said Mike Voegele, who was awarded a \$200,000 contract to handle outreach and scientific oversight, policy and planning support.

While the DOE is losing a few highly-placed officials, Nye County has beefed up its consulting services with the addition of Voegele, formerly the chief scientist and vice-president of Bechtel/SAIC, the former contractor for the Yucca Mountain Project. Voegele has worked with the program since 1975, Jaszczak has been affiliated with the repository project since 1993.

Voegele said opponents of Yucca Mountain, like U.S. Sen. Harry Reid, D-Nev., were surprised at the quality of the license application for the repository. The NRC accepted the license application for review in September 2008.

"People, like Sen. Reid -- this is my personal opinion -- were expecting DOE to do a less than good job on that license application, then this wouldn't be an issue. They were expecting the NRC to reject it and life goes on," Voegele said. "Well they didn't."

Nye County allocated the largest contract this year, \$600,000, to attorney Jeffrey VanNiel to direct the county's participation in the NRC licensing process and possibly the blue ribbon panel.

Voegele said it remains to be seen whether the blue ribbon panel will serve under the White House or the DOE. That could determine whether a geologic repository at Yucca Mountain is to be considered as an option, he said.

Jaszczak said, "The bill that was signed said the blue ribbon panel has authority to look at alternatives to Yucca Mountain." But he said U.S. Energy Secretary Stephen Chu said Yucca Mountain wouldn't be an option for study.

Voegele said a safety evaluation report on Yucca Mountain is being compiled by the DOE.

Nye County no longer needs to participate in planning for a railroad. Jaszczak said the Obama administration terminated that planning and directed DOE only to focus on the license application.

A response by the DOE Dec. 7 to contentions raised by various parties to the Yucca Mountain license application indicates the application process is still alive and well, after there were rumors the previous couple of months the application was dead, Jaszczak said.

After all the millions spent on consultants, what has Nye County accomplished?

Bob Gamble, Nye County's on-site representative at the DOE offices in Las Vegas, said the county was able to work from the inside on documents like the environmental impact statement issued in 2002. Gamble has worked on the Yucca Mountain Project since 1984.

"We were able to get our point of view written into the document. We were given a couple sections of our

own to document our point of view, and I think we affected some changes in the text," Gamble said.

Voegele said the Nye County hydrologic and geologic studies have done a lot to demonstrate Amargosa Valley groundwater flow patterns. Otherwise, DOE would have no knowledge of the potential flow of contaminants.

Some of the specialists who worked on the Yucca Mountain program, and Lacy himself, have been assigned work in other areas, like renewable energy. Voegele said about 2,700 federal employees worked on the Yucca Mountain Project at the peak. That's dwindled to about 625 workers today, following three years of budget cuts.

The case is now being made that nuclear waste can be stored in above-ground, dry cask storage containers at the reactor sites instead of at one geologic repository, Jaszczak said.

"The issue of, 'can we store spent fuel,' is essentially put on a 100-year hold," he said.

Power companies with nuclear plants were told there would be a repository by Jan. 31, 1998, Jaszczak said.


"They can continue with licensing. The other thing is, if they pull the plug, zero us out, then we're in a termination mode," Gamble said.

Lacy added, "We have 40 wells that have to be shut down. We drilled those under a cooperative agreement with DOE."

Voegele said part of his job assignment from Lacy will be to keep the history of the Yucca Mountain Project available for anyone in Nye County who is interested. That information could possibly be stored at the Pahrump Valley Museum, he said.

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