

INSIGHTS: Yucca Mountain Nuclear Waste Dump is a Dying Beast

{Editor's Note: U.S. Senate Minority Leader Harry Reid of Nevada gave this statement Thursday, August 3, 2006 before the Senate Committee on Energy and Natural Resources Hearing on S. 2589, The Nuclear Fuel Management and Disposal Act of 2006.}

By Senator Harry Reid

WASHINGTON, DC, August 4, 2006 (ENS) - I want to thank the Chair, the Ranking member, and other members of the Committee for the opportunity present testimony on this issue, which is very important to me, my home State of Nevada, and the rest of the country.

Everyone knows that the proposed Yucca Mountain nuclear waste dump is a dying beast. And it should die - it is a scientifically unsound project that would needlessly threaten the public health and safety of Americans everywhere.

Even the administration knows this is a flawed, dangerous project. We can see this in the bill. It tells you everything that the administration knows is wrong with Yucca. They have sent us this legislation to change the rules, break the law and prevent states from protecting their citizens.

If Yucca were scientifically sound – if it genuinely was a safe place to store nuclear waste – the administration would not need to gut the laws that regulate hazardous waste handling and transportation, clean air, water rights, public land laws, and environmental policy. If Yucca were scientifically sound, the administration would not need to preempt states' rights.

If Yucca were scientifically sound – if it was genuinely safe – we would not have this bill and we would not be here today.

Let's be honest, the administration is trying to prevent the states from protecting themselves and their citizens.





Nevada Senator Harry Reid hails from the small town of Searchlight, Nevada where he still resides. An attorney, Reid was elected to the U.S. Senate in 1986, and re-elected in 1992, 1998 and 2004. (Photo courtesy [University of Pennsylvania](#))



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It is important to remember that this proposal does not just affect or preempt Nevada, but your states as well. And not just in the area of transportation. For instance, the administration also wants to preempt the Resource Conservation and Recovery Act for any Department of Energy (DOE) facility where waste is transported or stored in Nuclear Regulatory Commission licensed casks, such as the Waste Isolation Pilot Project in New Mexico.



If Yucca were scientifically sound and safe, DOE would not need to remove control of the project from the agencies with expertise – the Department of Transportation, Environmental Protection Agency, Bureau of Land Management, Fish and Wildlife Service, and even the Department of Defense (DOD).

Do my colleagues on the committee know that this bill subordinates the authority of the Department of Defense to that of the Department of Energy? No longer does DOD get to determine, when, where and how our flights are conducted at Nellis Air Force Base. The administration has determined that DOE will make those decisions for flights over the Yucca Mountain area.

We cannot sacrifice our nation's national security for this short-sighted proposal.

What may be even worse is that Congress is being asked to approve the gutting of all these laws and authorities for a project without any details, with no assurance of its safety, no assurance of its viability, and no assurance of its long-term integrity.

In fact, the administration has not even done the impact analysis of this proposal as required by the National Environmental Protection Act. We've been trying to get that analysis and clarification on what the administration is or is not doing, but have been given the runaround.



Aerial view of Yucca Mountain, located on the southern border of the Nevada Nuclear Test Site 90 miles northwest of Las Vegas. (Photo courtesy OCRWM)

Maybe that's partly because DOE does not even have a final design for the facility. That is right – DOE has announced that it is completely redesigning the surface facilities, transportation methods and storage requirements. What are the details? We do not have them.

The truth is – although DOE has never said so – if the Department truly intends to increase the amount of waste that can be stored in the mountain, DOE will have to redesign the facility itself.

They are just saying trust us – do not ask any questions, just trust us.

Trust DOE, the department that has had more than 20 years of quality assurance and control problems on this program, whose contractors have the same problems, both of which ignore them and let them continue? Trust DOE, the agency that does not care that data on water infiltration was falsified?

Trust DOE? I don't think so.

Let me take a moment and address the USGS incident. DOE likes to make a lot of noise about the fact that the Department of Justice did not bring criminal charges against the employees who falsified the data. But let's be clear: avoiding criminal indictment is NOT an exoneration.

To meet the high burden of a criminal case, prosecutors would have had to prove that the employees made false statements with deliberate knowledge that the statements were false and that the statements had a material effect on the project.

Of course the employees knew that the statements were false – we know that from their own emails, which have been released. However, prosecutors couldn't prove that the statements had a material effect on the selection of a site that had been selected years before.

So these employees narrowly averted federal felony charges. That does not mean the data is accurate. False data is still false data.

Worst of all, DOE has no intention of redoing the data. The threat of criminal prosecution may have passed, but the threat to public health remains.

It is not surprising.

Ward Sproat, who oversees the Yucca Mountain project, admitted in testimony before the House last month that DOE does not have the expertise to design and construct Yucca Mountain. DOE must rely on the expertise of its contractor – Bechtel.



The DOE Office of Civilian Radioactive Waste Management is experimenting with new robotic technologies. Here, a robot rolls across the floor of the Exploratory Studies Facility the underground laboratory inside Yucca Mountain. (Photo courtesy OCRWM)

Bechtel – to whom DOE has given bonuses for substandard and incomplete work. Bechtel – the contractor that was under a stop work order because it ignored problems. Bechtel – the same company that ignored problems with the Big Dig, an action that has led to continuing safety problems and, tragically, the death of a motorist from the falling tunnel.

It concerns me that it is Bechtel's expertise upon which DOE is relying. But it is a metaphor for this entire project.

I have grave reservations about nuclear power primarily because of the problems it generates in terms of spent nuclear fuel storage and transportation, the security and siting of nuclear power plants, and nonproliferation. I would like see these problems solved. I would like for nuclear power to be the panacea that some of my esteemed colleagues see it as.

But nuclear power never will solve any problems unless we address and resolve these problems. That will never happen until we actually look for and find a scientific solution, a real solution, not a political solution, to these issues. I think that we can. I have faith in American ingenuity. America has the best minds in the world. I believe that if we truly focused on solving the real problems of spent nuclear fuel, we could.

Let's stop wasting time and money researching and redesigning Yucca Mountain. After more than 20 years we know that it will not work. Let's start really trying to solve the problem of nuclear waste.

What are we to do with the waste in the interim? We leave it on-site in dry cask storage, where it is safely and securely stored now and where the nuclear industry estimates it will continue to be safely stored for decades.

According to the Nuclear Energy Institute, dry cask storage is here to stay. And according to the Nuclear Regulatory Commission, it's safe for one to two hundred years. And, on-site storage saves money. DOE's last estimate for Yucca Mountain, a low ball estimate, was \$56 billion. Nevada estimates \$100 billion. Dry cask storage is estimated to be, at the low end, \$4.5 billion, up to \$10.5 billion, tops.

As NEI has shown us, with or without Yucca, on-site storage will be widespread. Let's embrace this option while we search for other alternatives.

We should stop wasting our time and money on Yucca Mountain and on an administration proposal that Mr. Sproat himself said it does not even need right now. We have too much to do.

I challenge all my colleagues to sit down with me, as many on both sides of the aisle have already done, and begin discussing a scientifically sound solution to our nuclear waste problems. Let's take the focus away from this dead project, and find real solutions to secure our energy future.

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