

# Yucca Mountain News

SUMMER 2005

## SPECIAL POINTS OF INTEREST:

- More than 50,000 tons of nuclear waste is now kept at reactors in 31 states. (page 3)
- The Energy Department says it hasn't found that Yucca Mountain water flow studies were tainted by scientists who discussed falsifying quality control data. (page 4)

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## Congress moving to limit DOE controls on repository funding

WASHINGTON - Congress is moving to limit the Energy Department's controls on millions of dollars the government sends to Nevada counties each year to monitor Yucca Mountain.

County officials no longer would be required to submit work plans for DOE review and approval before receiving their annual funding, under a Senate bill set for a vote this summer.

The work plan reviews have irked some local government managers who say the counties should be given more independence. They chafe over delays in receiving grant money and over work plan corrections directed by DOE reviewers.

"It is not the best use of everyone's time to go through an exercise of working and re-working a document that is pretty detailed," said Irene Navis, Clark County nuclear waste planning director.

The money involved is shared by Nye County, eight other Nevada counties and Inyo County in California that are contiguous to Nye, where the Yucca repository is being planned. This year the counties are getting \$8 million, while next year's budget calls for \$8.5 million.

As the host county, Nye County's portion is close to \$3 million, while the other jurisdictions receive smaller sums. Clark County gets about \$1.6 million for Yucca Mountain oversight.

With the Energy Department now preparing to seek a license for a nuclear waste repository at the Yucca site, key senators concluded the DOE-county relationship poses potential conflicts and needs to change.

The DOE work plan reviews are "inconsistent with its role as a license applicant" because the counties will probably oppose DOE at repository hearings before the Nuclear Regulatory Commission, according to the Senate legislation.

The measure calls for DOE to adopt a more informal "advise and consent" role in working with the local governments on their spending.

The directive was requested by Nevada county leaders and

*(Continued on page 2)*

## House calls for temporary storage of nuclear waste at federal sites

The House has voted to begin temporary storage of commercial nuclear waste at one or more federal facilities, fearing further delays in a proposed Yucca Mountain nuclear waste repository in Nevada.

The directive was included in a \$29.7 billion measure funding the Energy Department and came over the objections of lawmakers from Washington and South Carolina, two states where the waste from

commercial power reactors might be located.

An attempt by Rep. Edward Markey, D-Mass., to strip the bill of \$10 million for the interim storage program failed 312-110. The House passed the spending measure by a 416-13 vote.

While the legislation leaves it up to the Energy Department to select one or more interim storage sites, a report accompanying the bill suggested the

Energy Department's Savannah River weapons facility in South Carolina, the Hanford complex in Washington state and a facility in Idaho as possible locations. It also said the department should consider other federal sites, including closed defense bases for temporary storage.

It calls on the energy secretary to produce a plan for interim storage four months

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## Congress moving to limit DOE controls on repository funding (continued)

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was inserted by Sen. Harry Reid, D-Nev., into a report that accompanies the Senate's fiscal 2006 spending bill for the Energy Department.

"The whole point of oversight is to maintain an independent review," Reid said in a statement. Additionally, DOE and most likely all of the county governments will be legal adversaries on the Yucca Mountain project."

As the Yucca project evolved over the years, it fell to the Energy Department to distribute the county funding appropriated by Congress, and to ensure that it was being spent according to rules set by the 1982 nuclear waste law and annual budget bills.

Energy Department spokesman Allen Benson would not comment on the Senate bill. Benson said DOE officials "try to be as cooperative as they can be" in working with the local governments.

"They need the money to do their job and our job is to make sure they spend it in accordance with the Nuclear Waste Policy Act," Benson said. "You try to work things out amicably."

Nevada counties will not be given free rein if the legislation becomes law. Their spending still would be subject to audits by the Energy Department and the department's inspector general.

A 2003 audit challenged \$2.08 million in Nye

County spending for 2001 and 2002, and \$1.13 million spent by Lincoln County. The audit also questioned \$132,296 spent by Clark County.

Federal law allows the county governments to use federal money to hire consultants to evaluate the repository's local impacts, to monitor DOE science work and to communicate with residents about the project.

The counties cannot spend federal money on lobbying, lawsuits or to seek allies against the project but they can use the money to participate in upcoming license hearings.

*Source: Pahrump Valley Times*

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Yucca Mountain application to the NRC to license the proposed site is set for August

## Yucca Mountain license efforts set for August

The Energy Department tentatively estimates it will take the next step toward licensing a Yucca Mountain nuclear waste site in August, according to a DOE report prepared in early June.

That's when DOE officials expect to be ready to certify they have properly posted 3.5 million documents to an Internet database for the proposed waste repository.

Full operation of the Yucca Mountain "licensing support

network" is a major requirement before DOE can ask the Nuclear Regulatory Commission for a license to build nuclear waste facilities on the site.

Attorneys for DOE said in the report that the August date still may be revised, depending on how fast technicians can black out portions of documents shielded for privacy and business propriety reasons.

The report was filed on June 6th, with an NRC judicial board that is monitoring the assembly of the

electronic licensing database.

The Energy Department attempted to certify the licensing database last summer.

It was rejected following complaints from Nevada state officials and other parties that the database was incomplete and poorly organized. *Source: Las Vegas Review Journal, Washington Bureau*

## House calls for temporary storage of nuclear waste at federal sites *(Continued)*

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after the bill becomes law and begin accepting waste before the end of next year. The legislation must still be considered by Senate.

Washington and South Carolina lawmakers said that if their states are targeted, they feared the interim facilities could end up as permanent waste repositories. They worried that establishing interim waste dumps might reduce pressure to open Yucca Mountain.

"The state of Washington does not want to become ... a nuclear waste dump more than we are already," said Rep. Jay Inslee, D-Wash. "Interim, in geologic time, could mean several lifetimes."

The interim storage proposal comes as concerns continue about delays in opening the proposed Yucca Mountain project in Nevada, 90 miles northwest of Las Vegas. Last year a federal court questioned its proposed radiation protection plans. More recently concerns surfaced over allegations that government workers on the project falsified data.

The bill provides \$661 million for continued development of the Yucca facility, which must still get a license from the Nuclear Regulatory Commission.

Rep. David Hobson, R-Ohio, chairman of the Appropriations energy subcommittee, said that he strongly supports development of the Yucca facility but that interim storage is needed because of the delays. He said the government faces an estimated \$500 million in additional liability costs for every year the government fails to accept waste. By law, the Energy Department was supposed to begin taking commercial used reactor fuel in 1998.

More than 50,000 tons of nuclear waste is now kept at reactors in 31 states.

The spending bill also contains \$4.7 billion for the Army Corps of Engi-

neers, most of it devoted to waterways, dams and flood control projects. That is \$414 million more than requested by President Bush but \$294 million less than current funding.

The House approved less money than the Bush administration had wanted for maintaining the country's nuclear weapons. The White House said the \$450 million cut from its request for the nuclear weapons program threatens the ability to ensure the safety and reliability of the nuclear stockpile without underground testing. Lawmakers added the \$450 million to the president's \$6 billion request for environmental cleanup at heavily polluted sites used to produce plutonium for nuclear weapons.

The bill calls for spending \$62 million for oil and gas research, programs the administration had wanted phased out, arguing that the highly profitable industry already "has the financial incentives and resources" to develop new technologies without taxpayer subsidies.

Separately, a House Appropriations subcommittee approved by voice vote a bill to fully fund Bush's request for NASA, while cutting law enforcement grants to state and local governments and in the State Department's budget. The trade-offs came in a \$57.5 billion measure for NASA and the Commerce, Justice and State departments.

The subcommittee's treatment of NASA, approving Bush's full \$16.5 billion request, contrasts with last year's budget cycle when a bill containing the agency's funding slashed Bush's request by 7 percent, or more than \$1 billion.

House Majority Leader Tom DeLay, R-Texas, whose district is home to



Hanford site, on-going clean-up.



Savannah River Weapons Facility

the Lyndon B. Johnson Space Center, refused to bring that bill to the floor and forced negotiators to restore the cuts when assembling a \$388 billion catchall spending bill last November.

The measure approved by the subcommittee on Tuesday would cut crime-fighting grants to state and local governments by \$400 million from current levels. The panel also would cut \$273 million from Bush's request for the State Department but boost FBI spending by 10 percent over this year. *Source: Las Vegas Sun*

## House debates 29.7 billion DOE funding bill

The House started debate this month on a \$29.7 billion funding bill for the Department of Energy. The energy and water projects bill would provide \$661 million to continue development of the nuclear waste storage site at Yucca Mountain.

Because of the delays in the project, the House added \$10 million for developing sites to hold the waste while waiting for Yucca Mountain to be finished.

Nevada lawmakers are working to stop the project. Representative Jim Gibbons said going forward with Yucca Mountain is like using 8-track tapes in the era of iPods.

The delays are largely caused by accusations of falsified science.

The project is scheduled to be finished in 2012.  
*Source: KLASTV.com*

## NRC finds Yucca scientists 'findings' 'technically defensible'

The Energy Department says it hasn't found that Yucca Mountain water flow studies were tainted by scientists who discussed falsifying quality control data.

Project administrator John Arthur told Nuclear Regulatory Commission staff members yesterday in Pahrump that U.S. Geological Survey scientists' findings are — in his words — “technically defensible.”

But Arthur says the data in question won't be used in an upcoming Energy Department request for an NRC license to open and operate the Yucca nuclear waste repository.

The data is about water infiltration — which is an important subject because it could help determine whether the site can safely contain the nation's most radioactive waste.

The DOE plans to apply soon to the NRC for a license to open the Yucca Mountain site — 90 miles northwest of Las Vegas.  
*Source: The Associated Press*

### Churchill County Nuclear Waste Oversight Program

85 N Taylor  
Fallon Nevada 89406

Phone: 775-428-1592

Fax: 775-428-1592

E-mail: qb4@charter.net or  
yucca@cccom.net

**churchillcounty.org**

This newsletter is a publication of the Churchill County Repository Planning and Oversight Program. Churchill County is one of ten Affected Units of Local Government (AULG) involved in the proposed Yucca Mountain Repository. Funding provided to Churchill County is paid by users of electricity generated by nuclear power plants under a general contract with nuclear generating utilities. The federal government collects a fee of one mill (one-tenth of a cent) per kilowatt-hour from utility companies for nuclear generated electricity. The money goes into the Nuclear Waste fund which is used to fund all program related activities.

For more information on Churchill County's program contact Churchill County Nuclear Waste Oversight Program at 85 North Taylor, Fallon, NV 89406, (775) 428-1592, [www.churchillcountynwop.com](http://www.churchillcountynwop.com). Additional information on the repository program can be obtained from the U.S. Department of Energy. Yucca Mountain, Site Characterization Project Office at (702) 794-1444 or contact them at [www.ymp.gov](http://www.ymp.gov), or the Nevada Agency for Nuclear Project, Nuclear Waste Project Office, Capital Complex, Carson City, Nevada 89570, (775) 687-3744 or visit them at their web site at [www.state.nv.us/nucwaste](http://www.state.nv.us/nucwaste)