



# Sustainable Fuel Cycle

## TASK FORCE

www.sustainablefuelcycle.com

September 15, 2011

United States Senate  
U.S. Capitol  
Washington, DC 20510

To the United States Senate:

The undersigned organizations, which collectively represent a national cross-section of energy consumers, regulators, elected officials, Native Americans, community organizations and businesses, are writing to advise you of our strong support for funding in the FY2012 Energy and Water Development appropriations bill for the resumption of the Yucca Mountain Project review by the U.S. Nuclear Regulatory Commission (NRC) and related licensing-support activities at the U.S. Department of Energy (DOE).

As you know, on July 15, the House passed the FY2012 Energy and Water Appropriations bill, which provides a total of \$20 million to the NRC for the continuation of the license review for the Yucca Mountain Project (reached through the bipartisan approval of a floor amendment doubling the original funding mark of \$10 million by a resounding vote of 297-130) and \$25 million to DOE for continuing its activities towards completing the Yucca Mountain licensing application.

In addition, a recent House Science, Space, and Technology Committee review of the Yucca Mountain Safety Evaluation Report (Volume III) found the licensing application “complies with applicable NRC safety requirements, including those related to human health and groundwater protection, and the specific performance objectives called for in NRC regulations for disposal of high-level radioactive wastes at Yucca Mountain.” Just this past week, on September 9, the NRC issued a decision that allows the Construction Authorization Board’s June 29, 2010 denial of the DOE motion to withdraw its Yucca Mountain license application to stand.

And although no funding was provided in the Senate Appropriations Committee’s FY2012 Energy and Water Appropriations Bill, as approved on September 7, its report states that the Committee “is extremely concerned that the United States continues to accumulate spent fuel from nuclear reactors without a comprehensive plan to collect the fuel or dispose of it safely, and as a result faces a \$15,400,000,000 liability by 2020” – and that “the Committee supports taking near- and mid-term steps that can begin without new legislation and which provide value regardless of the ultimate policy the United States adopts.”



# Sustainable Fuel Cycle

## TASK FORCE

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Yucca Mountain Review Funding  
September 15, 2011  
Page 2

Moreover, on July 29, in a draft report to Energy Secretary Steven Chu, the Blue Ribbon Commission on America's Nuclear Future (BRC) stressed their "shared sense of urgency" with respect to addressing the back-end of the fuel cycle noting that "this nation's failure to come to grips with the nuclear waste issue has already proved damaging and costly and it will be more damaging and more costly the longer it continues." The BRC draft report concludes that "deep geologic disposal capacity is an essential component of a comprehensive nuclear waste management system" while calling for "prompt efforts to develop one or more geological disposal facilities."

The BRC further adds: "The recent decision by the Administration to attempt to withdraw the Yucca Mountain license application has further diminished confidence in the government's ability to provide a safe and timely solution for the disposal of spent fuel and HLWs [High Level Waste]" ... and ... "it is clear to the Commission that waste cleanup commitments were made to states and communities across the United States, and to the nuclear utility industry and its ratepayers and shareholders, that have not been upheld. The decision to suspend work on the repository has left all of these parties wondering, not for the first time, if the federal government will ever deliver on its promises."

As further stipulated by the BRC, the continued spent fuel management stalemate is "damaging to prospects for maintaining a potentially important energy supply option for the future, damaging to state-federal relations and public confidence in the federal government's competence, and damaging to America's standing in the world—not only as a source of nuclear technology and policy expertise but as a leader on global issues of nuclear safety, non-proliferation, and security. Continued stalemate is also costly—to utility ratepayers, to communities that have become unwilling hosts of long-term nuclear waste storage facilities, and to U.S. taxpayers who face mounting liabilities, already running into billions of dollars, as a result of the failure by both the executive and legislative branches to meet federal waste management commitments."

We agree that the need for the Federal government to meet its responsibility for commercial spent fuel and defense waste management under the Nuclear Waste Policy Act is a matter of urgency -- and that further delay is only exacerbating taxpayer liability and diminishing confidence in resolution of this national concern. It is increasingly clear that termination of the Yucca Mountain license application without clear legal authority and without an alternative plan has proven to be premature and unwise as well as deleterious generally to the nation's energy independence, economic competitiveness and environmental progress. To this end, funding to facilitate resumption of the Yucca Mountain review in FY2012 – a site which heretofore has been found to be safe and viable and which is the highest confidence option currently available-- is strongly warranted.



# Sustainable Fuel Cycle

## TASK FORCE

www.sustainablefuelcycle.com

Yucca Mountain Review Funding  
September 15, 2011  
Page 3

We hope that these views will be helpful in the full Senate consideration of the final FY2012 Energy and Water Development Appropriations.

Please note that – while these opinions represent the consensus viewpoints of the undersigned organization – they do not necessarily represent the specific views of every individual member of these organizations.

Sincerely,

National Association of Regulatory Utility  
Commissioners

U.S. Chamber of Commerce

U.S. Nuclear Infrastructure Council

U.S. Nuclear Energy Foundation

Partnership for Science & Technology

Citizens for Nuclear Technology Awareness

Citizen Outreach

Greater Aiken  
Chamber of Commerce

Fuel Cycle Science Panel

Idaho Falls Chamber of Commerce

Nancy Black, Vice Chair, Mineral County  
Commission (NV)

Lander County Commission (NV)

Lincoln County Commission (NV)

Sustainable Fuel Cycle Task Force

Prairie Island Indian Community

Institute for 21<sup>st</sup> Century Energy

Nuclear Waste Strategy Coalition

Nuclear Fuels Reprocessing Coalition

SRS Community Reuse  
Organization

Tri-City Development Council

Economic Development Partnership –  
Aiken & Edgefield Counties

Coalition 21

Nevadans for Carbon Free Energy

Gary Hollis, Chair, Nye County  
Commission (NV)

Churchill County Commission (NV)

Esmeralda County Commission (NV)