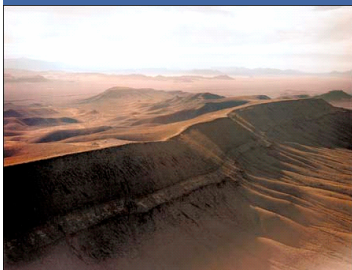


Lander County Yucca
Mountain Oversight Office
315 South Humboldt Street,
Battle Mountain, NV 89820
(775) 635-2860



LANDER COUNTY REPOSITORY PLANNING AND
OVERSIGHT PROGRAM

Summer 2005 - Yucca Mountain News

Yucca funds fall short of Presidents 05 request

WASHINGTON -- The Senate approved \$577 million for the Energy Department's Yucca Mountain project in a bill passed the first of July and did not include additional money to begin research into temporary waste storage.

The House approved \$661 million for the project in May, with \$10 million specifically set aside for the department to produce a plan for above ground storage as a backup for the delayed underground geologic repository at Yucca, 90 miles northwest of Las Vegas.

Some lawmakers worry that temporary storage could become permanent and the House plan alarmed lawmakers representing sites such as the Hanford complex in Washington state that were mentioned in a report accompanying the House bill.

Yucca Mountain, approved by Bush in 2002, is planned as a national repository for 77,000 tons of defense and commercial nuclear waste. The government was supposed to take waste in 1998, but a series of setbacks have pushed the opening date to 2012 or 2015.

The White House requested \$651 million for the Yucca Mountain project.

Research into the feasibility of a bunker-busting nuclear weapon would also be kept alive under the \$31.2 billion energy and water spending bill passed around during the senate meeting.

The bill passed 92-3 after a



debate over whether to spend \$4 million for research into the bunker buster nuclear warhead, which would be aimed at penetrating underground enemy bunkers.

The House measure contains no funds for the bunker buster, officially called the Robust Nuclear Earth Penetrator. Critics say the weapon is unworkable and that the development of a new nuclear weapon would be the

wrong signal for the United States to send to countries such as North Korea while trying to persuade them to shelve their weapons programs.

"A bunker buster cannot penetrate into the Earth deeply enough to avoid massive casualties and the spewing of millions of cubic feet of radioactive materials into the atmosphere," Sen. Dianne Feinstein, D-Calif., said.

Supporters of the weapon won a 53-43 vote. They said its funding was only for a feasibility study to see whether a new, sufficiently hardened casing can be developed for existing warheads to see whether it could penetrate the earth sufficiently to destroy reinforced underground bunkers.

The underlying Senate measure provides \$1.5 billion more than both Bush's request and a version that passed the House last month. Even so, the chamber declined to fully fund Bush's \$651 million request for the troubled Yucca Mountain facility, freezing

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Yucca funds fall short of Presidents 05 request (continued)

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spending for it at \$577 million. The Senate also repelled a House effort to establish temporary storage sites as a backup to Yucca Mountain.

Instead, the Senate would funnel \$5.3 billion into the Army Corps of Engineers, which is responsible for waterways and flood control projects, providing almost \$1 billion more than Bush asked for.

And Energy Department nuclear research labs located in the home state of Sen. Pete Domenici, R-N.M., would get an impressive boost as well.

The Senate did meet Bush's request for \$339 million for a new plant at the federal Savannah River complex in South Carolina to produce mixed-oxide fuel. The new facility is a key part of the Bush administration's effort to safeguard the tons of excess weapons-grade plutonium held by both the United States and Russia and reduce the risks of the material being obtained by terrorists or a rogue state.

The House bill provided just \$35 million for the mixed-oxide plant. *Source: Las Vegas Sun*

New pro-Yucca group to lobby rural residents

WASHINGTON -- A fledgling pro-Yucca Mountain group plans to visit Nye County in July to try to bolster support for the repository project among rural Nevada residents.

The Yucca Mountain Task Force, formed in April to re-energize support for the Energy Department program and lobby Congress on Yucca budget issues, also aims to secure allies in Nye County.

Task force members plan an informal meeting on July 27 in Pahrump with several county officials, with a scheduled trip to Yucca Mountain the following day.

A number of Nye residents already support the plan to construct a national high-level nuclear waste repository in their county. County officials have said that if Yucca is inevitable they plan to negotiate for federal benefits.

The task force, a coalition of state utility officials and nuclear power industry groups led by the Nuclear Energy Institute, wants to further open a dialogue with local residents, said task force co-chairman Charles Pray, Maine's state nuclear safety adviser and a former Maine state senator and Energy Department official.

"My dealings in government have proven that it is always best to be open and candid and to have a fair discussion about it," Pray said.

The task force

wants to work with county leaders in their efforts to win compensation for Yucca and to assure that the repository meets all technical requirements and is

safe, Pray said.

The group does not intend to "force" Yucca Mountain on local residents who do not support it, he said. He said he suspects there are a number of Nye County residents who "quietly" support Yucca, and others who oppose it but believe the county should reap federal benefits if the project can't be stopped.

Most Nevada elected officials, including its five-member congressional delegation and Gov. Kenny Guinn, are united in opposition to Yucca.

Senate Minority Leader Harry Reid, D-Nev., has said the repository will never become a reality. The project for years has been plagued by delays, budget shortfalls and controversy over scientific studies at the site.

But Nye County officials would be "remiss in their duties" if they did not negotiate with the federal government for financial benefits and safety assurances, said David Swanson, interim manager of Nye County's nuclear waste repository office. He said industry officials from the task force group have unique insight into nuclear waste issues, such as storage and shipping.

"What I'm hoping to do is glean as much information as we can from these folks," Swanson said.

Swanson said his personal skepticism about Yucca has faded in the last two and a half years.

"I feel really comfortable with bringing the repository here," he said. "I feel it's more or less inevitable."

Task force members plan continued meetings with locals in Nye County. Another task force organizer, David Blee, in his capacity as director of the U.S. Transport Council, made a presentation to the Central Nevada Community Protection Working Group on June 9. The council is another pro-Yucca group, aimed at educating the public about nuclear waste transportation.

Source: Sun Washington Bureau



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 reworking 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 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

Reid's plan best way to stop PFS

Apparently, the Nuclear Regulatory Commission has finally shaken Utah's senior senator into action on nuclear waste.

Republican Sen. Orrin G. Hatch delivered a blistering attack on Private Fuel Storage, whom he accused of hijacking federal energy policy by attempting to create a private nuclear waste storage facility on the Goshute reservation in Skull Valley.

"Is our nuclear waste policy going to be dictated by the federal government, or should policy-making rest with a couple of companies driven by profit?" Hatch asked in his floor speech.

Hatch's attack on PFS comes after the Nuclear Regulatory Commission rejected one of our last arguments against the nuclear waste facility. Utah had argued that welded casks, which PFS would use to house spent fuel rods, were not likely to be accepted at Yucca Mountain. Skull Valley thus becomes a permanent repository instead of a mere "temporary" depot on the road to a repository in Nevada.

The only remaining argument Utah has before the NRC is the chance a fighter jet over the Air Force target range could crash into the site, presenting too great a risk to allow PFS to operate. It's not a promising argument: The Atomic Safety Licensing Board has already said the risk of a jet crashing into the casks is too low to justify killing the project.

Hatch obviously realizes that

things aren't looking so good for Utah, and now he's proposing



legislation to try to short-circuit the plan. Hatch and Sen. Pete Domenici, R-N.M., are planning to sponsor legislation that will restrict nuclear waste to either federally run facilities or to storage at reactor sites.

Hatch's bill has merit, but it may be a bit redundant. Senate Minority Leader Harry Reid, D-Nev., has already proposed legislation that would require nuclear waste to be stored at the reactor sites where it is created rather than be shipped to Yucca Mountain or any other centralized repository. Reid's proposal tackles the question of fairness: Neither Utah nor Nevada directly benefit from nuclear waste and, therefore, should not bear the responsibility of storing the waste products.

The Nevada Democrat is trying to keep Yucca Mountain from coming on line. Hatch supports Yucca Mountain, when Utah might be better served by joining Reid in ending the Yucca project once and for all.

Despite what Hatch and Sen. Bob Bennett have said in the past, it is not good to let nuclear waste roll

through Utah. While we don't want it stored here for fear of environmental contamination decades or years from now, the waste is directly vulnerable while it's in transit. And nine out of 10 waste shipments bound for Yucca Mountain will pass right through Utah, coming perilously close to major population centers.

While the nuclear energy industry maintains that there hasn't been an accident yet in which a nuclear waste shipment has released radiation, it's just a matter of time. The risk of such a release, either by an accident or terrorist attack, is too high to justify shipping this stuff thousands of miles by truck or rail. On-site storage would be safer. The material has already been stored there until it cools down enough for shipment. It would be cheaper to expand those facilities than to construct new ones at Yucca Mountain or Skull Valley.

If science someday comes up with a way to reprocess nuclear waste, it will be easier to get it from a storage site near the reactor than to dig it out from under a mountain and ship it back across the country.

We're grateful that Hatch is jumping into the fray, even if he's a bit late. But if he wants to stop Skull Valley in its tracks, he'll cooperate with the Nevada delegation rather than work at cross purposes with our neighbors.

If we can all pull together, we may keep both our states from becoming dumping grounds for some of the worst poisons known to man.

Nuclear fuel reprocessing plan opposed

WASHINGTON -- Experts threw more cold water on desires by Congress to expedite nuclear fuel reprocessing, with one saying it might be just as economical to carve more burial space within Yucca Mountain as to deploy costly technology to manage radioactive waste.

Lawmakers looking to secure a growing role for nuclear energy have focused on reprocessing technologies that hold promise to reduce volumes of fuel waste and its radioactivity.

A bill passed by the House earlier this year directs the Energy Department to settle on a specific reprocessing strategy by 2007.

But at the second hearing in a month, science and industry experts warned members of a House subcommittee that reprocessing was not yet positioned for fast leaps forward.

Richard Lester, a nuclear science professor at the Massachusetts Institute of Technology, said the expense of reprocessed fuel would triple the fuel costs of a nuclear plant and increase the cost of generating electricity by about 20 percent.

Uranium fuel delivered to power plants today for about \$43 a kilogram would have to increase to almost \$400 per kilogram for reprocessing to become competitive, Lester said.

An MIT study concluded that reprocessing "is not an attractive option for nuclear energy for at least the next 50 years," Lester said.

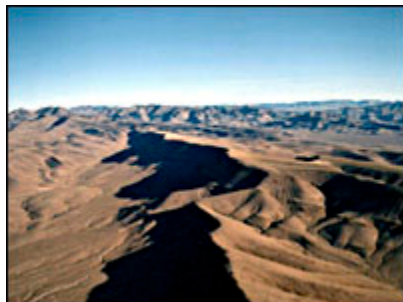
Reprocessing in a new U.S. plant would cost more than \$2,000 per

kilogram, said Steve Fetter, dean of the School of Public Policy at the University of Maryland.

Fetters said there was no economic downside for the government to delay a commitment to reprocessing. "I would think one could easily expand Yucca Mountain or open a new facility for the same fee," Fetters said.

The proposed repository at Yucca Mountain in Nevada would be limited by law to holding 77,000 tons of nuclear waste. But scientists say the repository could be expanded to hold 120,000 tons or more.

The nuclear energy industry would resist actions that could raise costs to electricity consumers, said Marvin Fertel, senior vice president of the Nuclear Energy Institute.



"The consensus in the nuclear energy industry is that nuclear fuel costs should be kept as low as possible," Fertel said.

He said developing nuclear fuel reprocessing plants would be a complex and lengthy undertaking. "You're into a couple of decades to employ the facilities you want, even if the economics are what you want."

Subcommittee chairwoman Judy Biggert, R-Ill., said she would not rule out federal subsidies for reprocessing. She pointed to tax credits that are offered to developers of wind and solar power.

"Let's face it, the federal government does a lot that isn't economical, often because doing so is in the best interest of the nation for other reasons," Biggert said. *Source: Las Vegas Review Journal*

Radioactive waste shipments do not concern emergency responders

SPRINGFIELD MO. -- Trucks carrying radioactive material will be a common sight on Interstate 44. The waste is from a closed uranium processing plant in Fernald, Ohio, near Cincinnati, that was open during the Cold War to help make nuclear weapons.

Since its closure in 1989, there's been a push to get the waste out of Ohio and into a permanent, secure storage facility in Texas. After 13 years of preparation to try to make sure the waste is stable enough and protected enough to move, the first truck left the plant the first week of June and rolled through Missouri.

It will take thousands of trucks to complete the task. More than a dozen will be on I-44 every day until December.

The first of the trucks picked up a lot of attention from people who know little about radioactivity.

"I think, any time you have the word nuclear or radioactivity, it piques people's interest but, from a professional viewpoint and from a public safety perspective, this is not something to cause great concern," said Lt. Terry Moore of the Missouri Highway Patrol's Troop D in Springfield.

Professionals consider the trucks to be carrying one of the lowest possible threats of radioactive materials. Representatives of the Fernald plant say the waste inside the containers has been diluted so that little radioactive byproduct is actually on board each tractor-trailer.

Emergency management officials say they're concerned about such a large shipment being on the road but it has nothing to do with radioactivity.

"If there is a danger with these vehicles coming through, it's more from a collision problem," said Greene County Emergency Management Director Joye McElwee.

(Continued on page 6)

Radioactive waste shipments do not concern emergency responders (continued)

(Continued from page 5)

McElwee says that concern is only because it would be hard to lift the heavy containers off the road.

Nationwide, officials have put radioactive carrying containers through a number of physical tests, including running them into a concrete wall at 60 to 80mph.

The containers were also dropped from 30 feet in the air and were even burned in a pool of aviation fuel for an hour and a half.

The end result -- each time -- showed that the containers made it out without ruptures or significant damage and remained totally intact. Officials say there is little chance that people could get hurt from the contents of the shipments alone.

"There are probably 500 hazardous movements that cross through the city of Springfield and I-44 everyday," said Moore.

"You'd probably win the lottery before you'd have a radiological problem evolving out of these transports," said McElwee.

All of these trucks have a GPS system tracking device so dispatchers will know where these trucks are at all times. *KY3 News Springfield Mo.*

Lander County Oversight Program

This newsletter is a publication of the Lander County Repository Planning and Oversight Program. Lander County is one of ten affected units of local government involved in the proposed Yucca Mountain Repository. Funding provided to Lander 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 Lander County's program contact Deborah Teske at the Community Development Department (775) 635-2860 or Joy Brandt at (775) 964-2447 in Austin, Nevada. 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, 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 <http://www.state.nv.us/nucwaste>, or visit our web-site at <http://www.landercountnwop.com>.

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