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LANDER COUNTY REPOSITORY PLANNING AND
 OVERSIGHT PROGRAM

Fall 2005 Yucca Mountain News

“Significant reduction” in nuclear waste seen

Even if technology is developed to dispose of nuclear waste, a repository will be necessary, the nominee to direct the Yucca Mountain Project told a Senate committee on November, 20, 2005.

Edward "Ward" Sproat acknowledged techniques like reprocessing could result in a "significant reduction" in the 77,000 tons of highly radioactive nuclear waste to be stored at Yucca Mountain, 100 miles northwest of Las Vegas.

"No matter which way we go ... you will still need at least one high-level geological repository for waste emplacement," Sproat said.

But Sprout said the country should plan to recycle and not just bury nuclear waste. He made his comments during his confirmation hearing before the Senate Energy and Natural Resources Committee.

Sen. Pete Domenici, R-N.M., said Sproat's nomination may be approved by the panel as early as mid November.

Directing the Yucca Mountain Project "will consume you, and sometimes you will wonder for what," Domenici told Sproat.

The confirmation hearing occurred one day after the

House voted 399-17 to cut Yucca Mountain's budget by \$127 million next year. The House also rejected a proposal for interim storage sites to supplement the Yucca Mountain repository.

In written questions submitted to Sproat, Domenici said Yucca Mountain may not begin receiving nuclear waste until 2015. The Energy Department has postponed earlier opening dates of 1998 and 2010.

"If you're trying to change the law to, in some way, expedite Yucca, you've got to pass it through the Senate; and I'm not advising the (Bush) administration that I know how to do that," Domenici said.

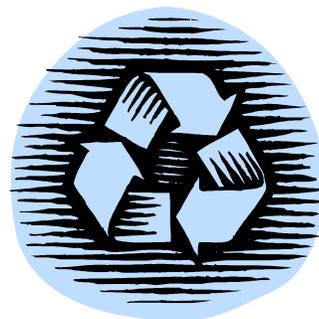
Sproat, a nuclear industry executive from Pennsylvania, was nominated in September by President Bush to be the director of the Energy Department's Office of Civilian Radioactive Waste Management.

Sproat was the lead negotiator for PECO Energy Company of Philadelphia, which reached an agreement with the Energy Department in July 2000 to reduce PECO's payments into a federal fund for nuclear waste storage. It was the first time a utility reached an agreement

with the Energy Department for the department's failure to meet a Jan. 31, 1998, deadline to begin storing nuclear waste at Yucca Mountain.

Sproat said he intends the upcoming licensing activities for Yucca Mountain to be a "transparent process."

"The people who are going to be affected by this project both within the state of Nevada and along the transportation routes have every right to expect that they will get a chance to participate, learn, understand and influence how the spent fuel transportation and disposal system is going to work and impact them," Sproat said. *Source: Las Vegas Review Journal*



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Skull Valley: Western states should stand together against fuel rods

The myth says that rugged loners won the West. In fact, people out West always have worked together. Survival demanded it.

So we tip our hat to Harry Reid, the senior U.S. senator from Nevada, who is making common cause with Utah in its effort to keep 44,000 tons of spent nuclear fuel rods out of the Beehive State. Reid, the leader of the Senate's Democratic minority, has dropped his opposition to a Utah-sponsored bill that would create a wilderness area around Cedar Mountain. Wilderness designation would make it impossible for a group of Eastern bushwhackers to build a rail line to a nuclear holding pen they propose to build on the Goshute Reservation in Utah's Skull Valley.

The bushwhackers, otherwise known as Private Fuel Storage, are a consortium of Midwestern and

Eastern public utilities that operate nuclear-fueled electric power plants. Because it is becoming inconvenient for them to store their spent fuel rods at their reactor sites, they want to move them to Utah.

The highly radioactive fuel rods would be entombed in glass, encased in giant canisters and set upright on a giant parking lot. There they would stay for 20 years, or until they or their contents could be moved to a permanent repository inside Yucca Mountain, Nev.

That's where Sen. Reid comes in. He and other Nevadans don't want a toxic tomb in their state any more than Utahans want a plutonium parking lot in theirs.

But Utah and Nevada are not the only Western states with a dog in this fight. The waste would have to move through neighboring states

on its way to either Utah or Nevada. Which is why Wyoming, Colorado, Kansas and other states should be joining a Western compact to keep the spent fuel rods at the reactor sites. Transport through numerous cities and towns across the nation creates greater risk of accident.

If Western leaders can get together and stump for things like a combined presidential primary - a good idea - they should certainly form a posse on this fuel rods issue.

We regret that Utah's congressional delegation did not take Nevada's side during earlier votes on Yucca Mountain. But, with the exception of Sen. Orrin Hatch, Utah's congressional delegation, led by Sen. Bob Bennett, has since realized that joint interest is self-interest. Other Westerners - and Hatch - should too. *Source: Opinion Salt Lake Tribune*

Yucca loses vote on funding



The House voted on November 9th to cut the budget for the troubled Yucca Mountain nuclear waste dump well below this year's level and President Bush's request.

At the same time, lawmakers again rejected Bush's proposal to curb spending on water projects undertaken by the Army Corps of Engineers. But the president fared much better on his plans to send astronauts to Mars.

The moves came as the House adopted, by a 399-17 vote, a final House-Senate compromise on a \$30.5 billion energy and water spending bill for the budget year that began Oct. 1.

Reflecting tight budget times, the bill is \$750 million below this year's levels.

In rapid succession, the House adopted a second \$57.9 billion compromise measure funding the budgets for the departments of Commerce, Justice and State, awarding a \$260 million budget increase to NASA, funding Bush's plan to send astronauts back to the Moon and on to Mars.

The Commerce, Justice and State bill passed by a 397-19 vote. The programs funded by the bill would receive a 3 percent increase over 2005 funding levels. The FBI won a 10 percent budget increase but state and local governments would receive a 10 percent cut in law enforcement grants. Bush had sought far deeper cuts.

Negotiators on that measure also killed a House provision to block the FBI from routinely gaining access under the Patriot Act to library materials and bookstore sales. But a renewal of the Patriot Act before year's end is likely to achieve the same purpose.

The Yucca nuclear waste repository would be funded at \$450 million for the 2006 budget year, \$127 million below the level for each of the past two years.

Bill negotiators also ditched a controversial House plan to supplement Yucca with interim storage sites for nuclear waste.

The final figure was also less than the House and the Senate passed during earlier debates. More delays in the oft-delayed project caused lawmakers to curb Yucca Mountain's budget.

Those cuts helped free up funds for the Corps of Engineers, which received \$5.6 billion, \$1 billion above Bush's request. That includes \$8 million requested by Sen. Mary Landrieu, D-La., for the Corps to design a plan to bring south Louisiana up to Category Five hurricane protection.

Source: Associated Press

BLM blocking Skull Valley nuclear waste project

November 9th, 2005—A federal Bureau of Land Management official said he is refusing to give the agency's approval for a rail spur for a nuclear waste stockyard in Utah's west desert.

The utilities backing the project say they might resort to trucking the waste on a state highway, but the BLM official in charge said his agency had the power to veto that, too.

"We're not able to bring anything to conclusion on their behalf," Glenn A. Carpenter, field manager for the bureau's Salt Lake district, told *The Associated Press*.

The BLM's refusal is one of a series of bureaucratic obstacles erected by the state's congressional delegation to stop Private Fuel Storage, a consortium of out-of-state utilities that won approval from the Nuclear Regulatory Commission in September to build the way-station for nuclear waste.

The Skull Valley band of Goshute Indians signed a lucrative contract to take the radioactive waste from other states' nuclear-powered utilities.

The utilities call it a temporary solution pending a resolution of the troubled federal project at Nevada's Yucca Mountain, but Utah politi-

cians fear it will become a permanent repository.

Sen. Orrin Hatch, R-Utah, said the Bureau of Land Management's refusal to cooperate is a sign that the Bush administration is "on our side." In a statement issued on 11/8/05, Hatch said the agency has "jammed" the license authorized but not yet issued by the Nuclear Regulatory Commission. The stockpiling of 44,000 tons of spent nuclear fuel would take place about 45 miles southwest of Salt Lake City.

"This is one of many administrative and legal hurdles we are raising that PFS has to clear for Skull Valley to ever become a reality," Hatch said.

In an interview, Carpenter said the BLM cannot make a decision to authorize the construction of a Skull Valley rail line over government land because of restrictions Rep. Jim Hansen, R-Utah, wrote into a 2000 defense appropriations bill.

Hansen's provision blocked the bureau from changing a land-use plan to grant a right of way across government land for the rail line. The Bureau of Land Management can't act until the Pentagon studies how proposed wilderness areas for Utah's west desert might affect operations at the Utah Test and Train-

ing Range. The Pentagon is nowhere near starting the study.

Private Fuel Storage Chairman and Chief Executive Officer John Parkyn has said he might be able to get around the problem by shipping the waste by truck, but Carpenter said that was no certain bet.

Two-lane State Route 196 is not wide enough to accommodate trucks hauling the steel casks holding the nuclear waste, he said, and the Bureau of Land Management would have to grant a new right of way for any widening project. The state isn't likely to back road reconstruction for a project it's vigorously opposing.

In the end, the Hasting's Cutoff, a route used by the ill-fated Donner Party in 1846, could defeat Private Fuel Storage's proposal.

Carpenter said the reworked tracks of Hasting's Cutoff and subsequent Lincoln Highway are historic Skull Valley assets that could be damaged by a rail spur crossing them to Indian reservation.

Even if the bureau had authority to change its land-use plan for Skull Valley, Carpenter hinted it would be hesitant to endanger "an old route that remains traveled to this day, worn in the landscape by subsequent travel." *Source: Associated Press*

Senators block Bush choice

Nevada's senators are blocking confirmation of President Bush's pick to lead nuclear waste disposal efforts at Yucca Mountain.

Sen. John Ensign, R-Nev., said he and Sen. Harry Reid, D-Nev., have placed holds on Ward Sproat, who has been nominated to become director of the Office of Civilian Radioactive Waste Management in the Department of Energy.

Senators can invoke procedural holds to block final action on nominees and legislation. Ensign said he and Reid will relent on Sproat "once we can get answers about where the administration is going" on nuclear waste. Reid had no comment.

Ensign met with Sproat on Nov. 2.

"I think he can be very good," Ensign said in an interview. "But we still have a hold on him until we can see these other questions get answered first."

Bush administration officials "will work with senators who have placed a hold on Mr. Sproat to remedy their concerns," Energy Department spokesman Craig Stevens said.

The Senate Energy and Natural Resources Committee approved Sproat's confirmation Wednesday by a voice vote, sending the confirmation to the Senate floor.

But the nominee's path forward could be uncertain if opposition exists, said the committee's chairman, Sen. Pete Domenici, R-N.M. The Senate is expected to recess in mid-December, with unfinished business carrying into next year.

"It is hard to get a nominee through if somebody doesn't want him to go, so I would think this is serious," Domenici said. He assigned his committee chief of staff to talk to Reid, the Senate Democratic leader.

The Yucca Mountain project has been without a Senate-confirmed leader since Margaret Chu resigned in February. Paul Golan, the principal

(Continued on page 4)

Senators block Bush choice (continued)

(Continued from page 3)
deputy director, has been serving as acting director.

A flurry of activity and rumor this fall has focused attention on possible new directions in the government's efforts to manage nuclear waste and establish a repository at the Yucca Mountain site, 100 miles northwest of Las Vegas.

Congress passed a bill in mid November that continues spending for Yucca Mountain but at a reduced

**“Questions
surround pick to
lead Yucca
Mountain
project,” Ensign**

impending changes in contract management.

The Energy Department is preparing other legislation to benefit the

rate. The bill directs the Department of Energy to start searching for sites that might hold a nuclear waste reprocessing complex to supplement a repository.

Yucca Mountain project managers last month announced a redesign of some features and

stalled Yucca Mountain program, including provisions that would remove accounting restrictions on project spending and would withdraw federal land for the repository, DOE officials have said.

Rumors have been floating in nuclear industry circles, unconfirmed by Bush officials, that the administration is working on a nuclear waste reprocessing initiative that would involve Yucca Mountain in some way. *Source: Las Vegas Review Journal*

Lander County Repository Planning and 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, NV. Additional information 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. The Nevada Agency for Nuclear Project, Nuclear Waste Project Office, Capital Complex, Carson City, NV. 89570, (775) 687-3744 or at their web site <http://www.state.nv.us/nucwaste>. Lander County's Nuclear Waster Oversight website is at <http://www.landercountynwop.com>.

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