

Lander County Oversight Office
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Special points of interest:

- Bush recommends Yucca Mountain to Congress
- DOE Selects Rail as the Preferred Transportation Alternative in its Final EIS.
- Lander County Has a Yucca Mountain Web Site!

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President Bush Recommends the Yucca Mountain Site to Congress

As required by the Nuclear Waste Policy Amendments Act of 1987 Section 114, the President of the United States upon a favorable recommendation from the Secretary of Energy can submit a notice to Congress that he considers the Yucca Mountain site qualified for application for a construction authorization. In a letter to Congress on February 15th President Bush wrote:

"In accordance with section 114 of the Nuclear Waste Policy Act of 1982, 42 U.S.C. 10134 (the "Act"), the Secretary of Energy has recommended approval of the

Yucca Mountain site for the development at that site of a repository for the geologic disposal of spent nuclear fuel and high level nuclear waste from the Nation's defense activities. As is required by the Act, the Secretary has also submitted to me a comprehensive statement of the basis of his recommendation.

Having received the Secretary's recommendation and the comprehensive statement of the basis of it, I consider the Yucca Mountain site qualified for application for a construction authorization for a repository.



Therefore, I now recommend the Yucca Mountain site for this purpose. In accordance with section 114 of the Act, I am transmitting with this recommendation to the Congress a copy of the comprehensive statement of the basis of the Secretary's recommendation prepared pursuant to the Act. The transmission of this document triggers an expedited process
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Gov. Guinn will veto President Bush's Yucca Mountain Decision

Gov. Kenny Guinn announced he will exercise his Notice of Disapproval to the U.S. Congress (the Governor's Veto) upon hearing President George W. Bush's decision to recommend Yucca Mountain as a nuclear repository.

"I am outraged, as are the citizens of Nevada, that this decision would go forward with so many unanswered questions," Gov. Guinn said. "As I mentioned to the President, I believe that we deserve a scientific response to the nearly 300 critical questions

the Nuclear Regulatory Commission has stated must be resolved before going forward with Yucca Mountain."

"As a state we are solidly united to continue our fight against Yucca Mountain becoming the
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President Bush Recommends Yucca Mtn

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described in the Act. I urge the Congress to undertake any necessary legislative action on this recommendation in an expedited and bipartisan fashion.

Proceeding with the repository program is necessary to protect public safety, health, and the Nation's security because successful completion of this project would isolate in a geologic repository at a remote location highly radioactive materials now scattered throughout the Nation. In addition, the geologic repository would support our national security through disposal of nuclear waste from our defense facilities.

A deep geologic repository, such as Yucca Mountain, is important for our national security and our energy future. Nuclear energy is the second largest source of U.S. electricity genera-

tion and must remain a major component of our national energy policy in the years to come. The cost of nuclear power compares favorably with the costs of electricity generation by other sources, and nuclear power has none of the emissions associated with coal and gas power plants.

This recommendation, if it becomes effective, will permit commencement of the next rigorous stage of scientific and technical review of the repository program through formal licensing proceedings before the Nuclear Regulatory Commission. Successful completion of this program also will redeem the clear Federal legal obligation safely to dispose of commercial spent nuclear fuel that the Congress passed in 1982.

This recommendation is the culmination of two decades of intense scientific scrutiny involving application of an array of scientific and technical disciplines necessary and appropriate for this challenging undertaking. It is an undertaking that was mandated twice by the Congress when it legislated the obligations that would be redeemed by successful pursuit of the repository pro-

gram. Allowing this recommendation to come into effect will enable the beginning of the next phase of intense scrutiny of the project necessary to assure the public health, safety, and security in the area of Yucca Mountain, and also to enhance the safety and security of the Nation as a whole".

According to the Act, the designation of a site as suitable for application for a construction authorization for a repository shall be effective at the end of the 60-day period beginning on the date that the President recommends such site to the Congress. During that sixty-day period Governor Guinn has the right to submit a notice of disapproval. Upon receiving the notice of disapproval for the Governor of Nevada, Congress will have 90 days to pass a resolution of repository siting approval. If such a resolution passes Congress by a majority vote, the resolution becomes law. If Congress does not pass a resolution, the Yucca Mountain site will be disapproved.

Neither the President nor Congress can give final approval and authorization for construction of the repository at Yucca Mountain. That responsibility lies solely with the

Nuclear Regulatory Commission's Atomic Safety and Licensing Board. Assuming Congress supports the recommendation from the President, the only decision that has been made is one that directs the Energy Department to submit a license application to the Nuclear Regulatory Commission. The Nuclear Regulatory Commission then evaluates the technical merits of the license application to determine whether or not Yucca Mountain can be built and operated safely.

"Having received the Secretary's recommendation and the comprehensive statement of the basis of it, I consider the Yucca Mountain site qualified for application for a construction authorization for a repository. Therefore, I now recommend the Yucca Mountain site for this purpose."

**President
George W. Bush**



Gov. Guinn will Veto *(Continued from page 1)*

nation's nuclear dump. We will exhaust every option and press our legal case to the limit. The Nevada Legislature, cities, counties and now the private sector have raised \$5.4 million toward our fight."

DOE has failed to prove that nuclear waste will not leak into the water table. The General Accounting Office and the Nuclear Waste Technical Review Board also support this view. DOE has not completed the site characterization in compliance with the law. Nearly 300 key scientific studies in nine critical areas identified by the Nuclear Regulatory Commission are incomplete.

Only today, (February 15th) did DOE deliver to the Governor, the final Environmental Impact Statement. This does not comport with the intent of the Nuclear Waste Policy Act in which the Governor, prior to the recommendation, is to be provided all decision documents in order to conduct "meaningful review."

"Receiving the final EIS just hours before the Presidential decision hardly provides me and the State of Nevada meaningful review," Gov. Guinn said. "Once again, this is an outrage."

DOE selects Rail as the Preferred Transportation Alternative in its Final Environmental Impact Statement

The draft environmental impact statement for the proposed waste repository at Yucca Mountain examined several options for waste transportation. Several highway routes and a total of 5 rail spur alternatives were considered. Based upon the analysis in the draft EIS, DOE elected to identify rail as the preferred mode of transportation to Yucca Mountain.

Under the preferred alternative, DOE would construct a new rail spur to serve Yucca Mountain directly from the Union Pacific mainline railroad. The Union Pacific maintains two mainline branch lines through Nevada. The northern route follows the Humboldt River Basin and the southern line enters the State at Ursine in Lincoln County. The southern line then heads in a southwestern

direction through Las Vegas. Figure 1 shows the existing mainline and proposed rail spurs.

The Crescent Valley alternative leaves the Union Pacific mainline at Beowawe and heads south through Crescent Valley until it enters Lander County just south of the Town of Crescent Valley. It passes through the Grass Valley area then on through Big Smoky Valley before reaching Nye County.

DOE's proposed budget request for next year calls for a substantial increase in funding for transportation related activities including additional analysis on the 5 rail spur alternatives to the Yucca Mountain project.



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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 Hinze at the Community Development Department (775) 635-2860. 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

Were on the Web
www.landercounty.com

Lander County Creates Yucca Mtn. Website

In January, Lander County completed an initial design of its Yucca Mountain website. The site will contain information related to the Yucca Mountain project with links to important resources. The website will also contain reports prepared by the County's oversight program.

Additionally, Lander County must prepare a website in order to participate in the upcoming Nuclear Regula-

tory Commission licensing hearings. The hearings are scheduled to begin sometime in 2003 if Congress approves the President's recommendation to seek a license to construct the facility. Participants in the NRC hearings must make available all relevant information electronically which they will potentially use in the licensing hearings. The website can be accessed by going to www.landercounty.com.

Reader Response

If you are interested in receiving future additions of this newsletter, please detach this form and mail to the Lander County Oversight Office, Attn: Deborah Hinze, 315 S. Humboldt St., Battle Mountain, NV, 89820

Name:

Address:

Affiliation: