



Summer 2006 Yucca Mountain News

Lander County Schools Conduct Yucca Mountain Survey

This spring Lander County High School students conducted approximately 355 face-to-face surveys in order to determine the views and knowledge of the repository program. Survey questions focused on issues that have been the subject of national survey efforts related to Yucca Mountain. Mr. Bill Cox of the Austin Schools and Ms. Johnna Reeves at the Battle Mountain High Schools were the faculty advisors on the Project. It is the third year, high schools students helped with survey efforts.

Out of the 355 surveys completed almost 91 percent of the survey respondents were familiar with the Yucca Mountain Pro-

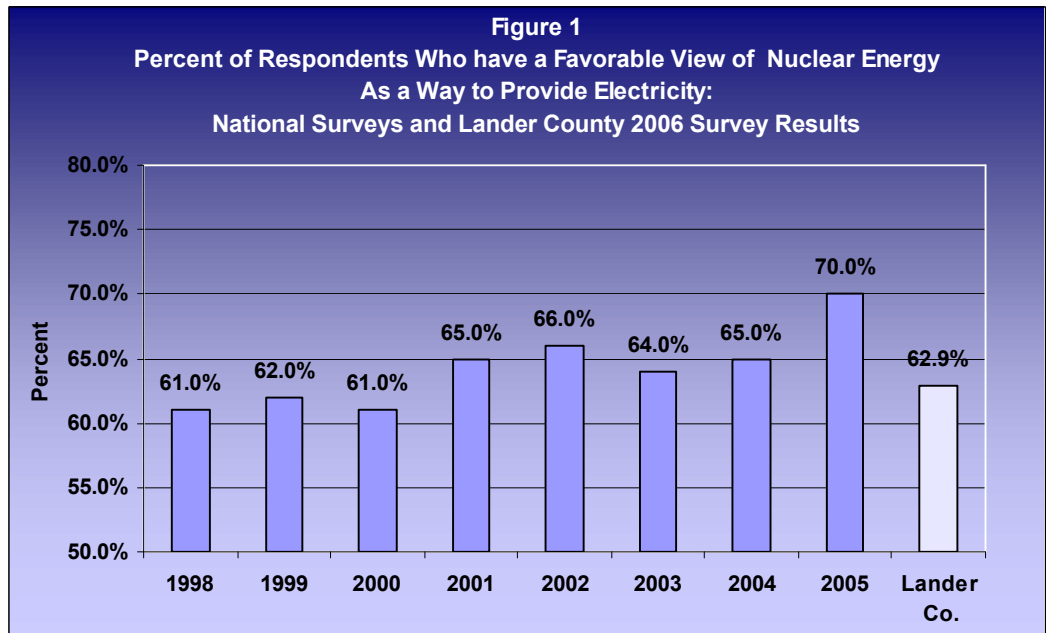
ject and the federal government's efforts to store spent nuclear fuel in Nevada.

Approximately 63 percent of community survey respondents either strongly favored or somewhat favored nuclear energy as one of the ways to provide electricity in the United States. The percent of Lander County survey respondents favoring nuclear energy as a means to provide electricity is slightly lower than findings of national survey efforts (Figure 1). In 2005, national surveys showed that approximately 70 percent of respondents either strongly supported or somewhat supported nuclear energy as one of the ways to provide electricity. Similarly, the majority of Lander County respondents

appear to support the construction of new nuclear power plants. Almost 53 percent of Lander County respondents either strongly agreed or somewhat agreed that more nuclear power plants should be built in the future. Such a level of support is about the same as national survey responses. As recent as 2003, approximately 54 percent of national survey respondents either strongly favored or somewhat favored the development of new nuclear power plants (Figure 2).

A vast majority (99.4 percent) of Lander County community survey respondents said it was extremely important or very important to have a clear plan of ac-

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- Legislation to "fix Yucca" once and for all hit a wall shortly after it was introduced in Congress two months ago. (page 3)

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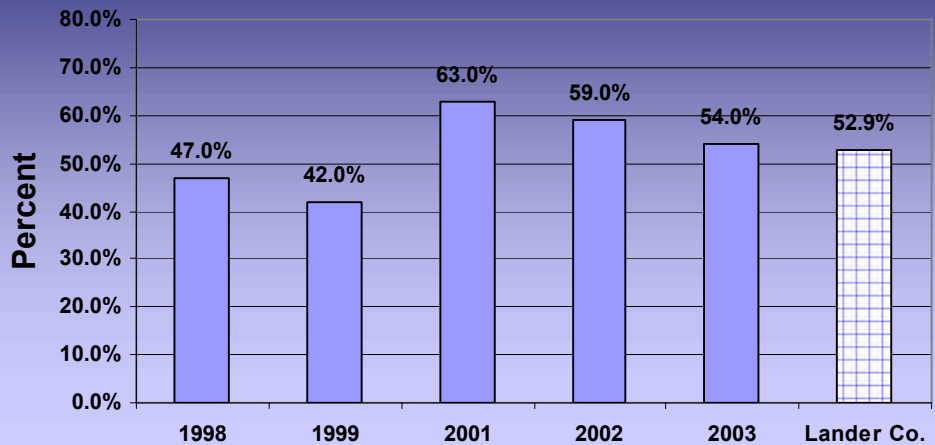
tion for handling the high-level radioactive waste from America's 103 electricity-generating nuclear power plants. The number of Lander County survey respondents who felt that having a clear plan for handling high-level nuclear waste was important, is similar to national survey responses.

Lander County survey respondents are becoming increasingly confident that spent nuclear fuel and high-level waste can be shipped safely. In 2006, approximately 59.5 percent of Lander County respondents were either very confident or somewhat confident that nuclear waste from America's nuclear power plants could be safely transported to Yucca Mountain. Finally, Lander County survey respondents were asked whether they think it is possible for state, tribal and local governments to continue to challenge the Yucca Mountain project while developing a benefits package for Nevada. The majority of respondents (43.6 percent) answered "yes". Almost 38 percent of the respondents did not know.

A complete copy of the report can be obtained by contacting Deborah Teske at (775)635-2860 or by going to www.Landercountynwop.com.

DOE reviewing land ownership, mining claims related to western route

Figure 2
Percent of Respondent Who "Strongly Agree" or "Somewhat Agree" with the need to Develop More Nuclear Power Plants National Survey Results and Lander County (2006)



YUCCA MOUNTAIN: Rail line option studied

The Energy Department is updating 20-year-old data on railroad alignments in western Nevada and should decide by the end of the summer whether it wants to further explore an alternative route to ship nuclear waste by rail through the state to Yucca Mountain, a DOE manager said.

DOE officials are reviewing changes in land ownership and the status of mining claims in the region, said Gary Lanthrum, transportation director for the Yucca Mountain program.

They have inspected possible paths through the Walker River Paiute Indian reservation and have examined topography at other points, he said.

The department is working with the tribe and others to look at "some of the aspects of alignments along the route to see if they are feasible," Lanthrum said at a nuclear waste transportation conference.

"Once a determination is made, we will figure out how to go forward," Lanthrum said. DOE would consider moving forward with formal action and environmental studies "if there is a feasible route that looks like it might be a reasonable alternative."

The manager's remarks to a meeting of the U.S. Transport Council, a group of nuclear waste shipping interests, expanded on previous DOE statements about the so-called Mina route to the proposed nuclear waste repository site.

The Energy Department already is conducting an official environmental impact study of a proposed rail corridor across rural Nevada from Caliente to Yucca Mountain.

But its interest in a possible Mina alternative was piqued when the Walker River Paiute tribal leaders said they might consider allowing railroad shipments of nuclear waste through their reservation north of Walker Lake.

The tribe's position appears to have revived a DOE rail option that was studied in the 1980s. It involves nuclear waste traveling on existing rail along a corridor to Hawthorne, with DOE improving old mining rail beds and building new rail through Mineral and Esmeralda counties, and into Nye County where Yucca Mountain is located.

Some transportation experts say the alignment would be shorter, at 209 miles, and easier and less expensive to build than a railroad from Caliente. DOE's cost estimate of a 319-mile Caliente rail line was increased last year to \$2 billion.

Lanthrum said it is too soon to tell.

"It is shorter, but we don't know if it would be less expensive," Lanthrum said. "We have no information that is less than 20 years old." Source: LV Review Journal

Yucca Bill Stalls, at Least for This Session

Despite strong pressure from the nuclear energy industry and the Bush administration, Congress almost certainly will not put Yucca Mountain on a fast track this year.

Legislation to "fix Yucca" once and for all hit a wall shortly after it was introduced in Congress two months ago. Republicans and Democrats alike say the bill reaches for too much too fast, while failing to address the latest darling in the nuclear energy debate - recycling.

Barring a miracle, the administration will have to try again in the next Congress - the last of the Bush presidency - to get the stalled Yucca nuclear waste storage plan moving again.

"I'm hoping 11:30 at night, somebody's going to wake up and say, 'We have to do this. Let's get it done,'" said Charles Pray, co-chairman of the U.S. Transport Council's Yucca Mountain Task Force, a leading advocacy group for the nuclear transportation industry.

The apparent failure of the "fix Yucca" bill comes despite a near-perfect alignment of powerful interests. The Bush administration is the most pro-nuclear administration in decades. Republicans control both houses of Congress. The nuclear industry is pushing hard to get the project moving again.

But the Energy Department did not deliver its "fix Yucca" bill as early in the year as Congress wanted. When the legislation did arrive, it contained elements that many lawmakers opposed, while failing to include provisions they sought.

"It's a greedy bill and goes way beyond any realm of sensibleness," said Michele Boyd, a legislative director at Public Citizen, which has fought Yucca Mountain.

"Even senators in the past who have voted for Yucca Mountain say, 'No way.' "

Yucca is years behind schedule, despite \$8 billion in spending and the involvement of 25,000 scientists dedicated to creating the nation's first high-level nuclear waste repository.

Introduced by two leading Republican advocates of nuclear power - Sen. Pete Domenici of New Mexico and Rep. Joe Barton of Texas - the bill would lift the cap on the amount of waste that can be stored at Yucca Mountain, turn the site over to the Department of Energy and guarantee a funding stream that could not be knocked down by opponents in Congress.

Senate Minority Leader Harry Reid, D-Nev., called the bill dead on arrival when it was introduced in April. Both Reid and Nevada Republican Sen. John Ensign oppose the development of Yucca Mountain and especially do not want to cede so much authority to the Energy Department.



ment.

Reid might well have outmaneuvered Yucca supporters and bottled up the bill. But he apparently didn't need to. The legislation failed to include provisions about nuclear waste recycling that is now a prominent issue in the Bush White House and a favorite of Domenici, chairman of the Senate Energy and Natural Resources Committee, where the bill languishes.

"Obviously there are a lot of things holding it up because you have two generally sympathetic committee chairmen who could schedule a hearing - and they're not," said a spokesman for Sen. Jeff Bingaman of New Mexico, a nuclear energy advocate and the ranking Democrat on the Senate Energy and Natural

Resources Committee. No hearings have been set, either, in Barton's House Energy and Commerce Committee.

Despite dimming prospects for the bill, some Republicans and nuclear industry officials still hope it will move forward this year. Domenici indicated that he was trying to find a way to include nuclear recycling in the legislation.

Recycling is part of the Bush administration's far-reaching - and some say unrealistic - initiative to develop technology that would reprocess nuclear fuel in a way that would render the waste less toxic and curtail its volume. Doing so would reduce the risks involved in transporting and storing nuclear waste at Yucca and also allow it to accept waste for many more years before reaching its storage capacity.

The Bush initiative, known as Global Nuclear Energy Partnership, could clear the way for construction of more domestic nuclear energy plants. It also would stem the spread of nuclear weapons by providing an alternative method of reprocessing nuclear fuel. The current method, used elsewhere in the world, can be modified to produce plutonium, a critical component of nuclear weapons.

Critics, however, say the initiative is a boondoggle that would cost tens of billions of dollars and take decades to come to fruition.

Dennis R. Spurgeon, assistant secretary for nuclear energy in the Energy Department, acknowledged it will be difficult to get the bill through this session.

Pray, who has increased his travel budget by \$10,000 this year to rally nuclear-power generating states to the cause, said the industry is well aware of the need to find success before the Republican stronghold on Congress and the White House fades.

"That would close opportunities," he said. Source: Las Vegas Sun

Waste Bitterly Divides Utah Tribe

SKULL VALLEY, Tooele County — Leon Bear, a stocky man in T-shirt and jeans, peers across the sagebrush-pocked valley where his ancestors once chased Pony Express riders and sees the future for his dwindling tribe.

Just west of the gun-barrel straight, two-lane road that darts through the Skull Valley Goshute Reservation, Bear wants to store 4,000 steel and concrete canisters of highly radioactive used fuel from nuclear power plants.

The tribe would reap tens of millions of dollars in rent over the next 40 years.

"I've been shown there's no problem. The way they plan to handle it, it's safe," the 46-year-old tribal leader insists, escorting a visitor around the reservation in a glistening new pickup truck.

The truck is an example of the largess the tribe already has received from a consortium of eight electric utilities that nine years ago signed a lease with the tribe to put 40,000 tons of reactor waste on the reservation.

It's the kind of deal other tribes have rejected, that most communities would oppose, one that spells "not in my back yard" in the brightest of colors. Utah's establishment in Salt Lake City, the capital 45 miles away, is enraged.

Critics, including some within the tribe, call it environmental racism at its rawest.

But Bear says it's the way to riches that will mean new homes, new jobs and better health care for the 118 members of his tribe. Only about two dozen — including children — still live on the 18,000-acre reservation, but this will bring many of the others back, he predicts.

The Interior Department's Bureau of Indian Affairs approved the lease in 1997. The deal is yet to be consummated amid a mountain of lawsuits, regulatory hurdles and bitter opposition. It's close, though.

The nuclear Regulatory Commission issued a license for the dump in February. It rejected arguments that

its location is unsafe because hundreds of F-16 jet fighters fly over the



Leon Bear stands near a landfill containing garbage from Salt Lake City. The landfill provides income for the Goshutes

reservation on the way to bombing runs over nearby government land. The chance of a crash that could result in the release of radiation is one in a million, an adequate risk, the NRC said.

Private Fuel Storage LLC of Wisconsin, the consortium that would build and run the dump, has begun looking for nuclear power plant owners to sign up for waste shipments.

"We have to store this stuff somewhere," says PFS Chairman John Parkyn. The utilities "were promised this material would be collected and removed to a central location, and now we have one."

If Bear and Parkyn get their way, it will mark a watershed in addressing the thorniest problem facing the nuclear industry: where to put nearly 60,000 tons of highly radioactive reactor waste now stored at power plants in 31 states, and the additional 2,000 tons being generated each year.

The government promised to take the waste beginning in 1998, but a planned federal site at Yucca Mountain in Nevada is years behind schedule. Some say it may never be built.

The PFS consortium has spent more than \$20 million so far, including licensing costs and payments to the Skull Valley tribe under its 1997 lease.

But no utility has committed to

send waste to Utah, and four of the companies that helped finance the project so far have said they won't commit any more money as long as Yucca Mountain moves forward.

If Yucca Mountain encounters more hurdles and delays, utilities will turn to Skull Valley, Parkyn predicted in an interview.

The PFS consortium has spent more than \$20 million so far. Neither Bear nor PFS will say how much of that the tribe has received or will receive over the next 40 years if the deal goes through. Speculation is that it could be as much as \$100 million for the tribe.

Still, it's hard to find people in Utah who favor the dump.

"You're batting in the 85 percent range of people who don't want this project to go forward. As conservative as the state is, you don't even see those kind of percentages in things like gay marriage," says Jason Groenewold, director of the Healthy Environment Alliance of Utah, which opposes the project.

The state has tried all manner of



A sign, riddled by bullet holes, stands along the highway leading to the Goshute Reservation. Source: Douglas C. Pizac, AP

maneuvers to stop the project, with little success so far. The Legislature imposed steep taxes on anyone doing business with PFS and banned local governments from providing electricity and other services. The laws were declared unconstitutional by a federal court.

Utah's senators have lobbied the Bush administration. So far, administration officials have said only that

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Waste Bitterly Divides Utah Tribe (continued)

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they remain committed to opening Yucca Mountain — 350 miles southwest of Skull Valley in Nevada — and that the PFS project is not part of the government's nuclear waste plan.

Dump opponents do have one significant victory. Rep. Rob Bishop, R-Utah, got Congress to create a 100,000-acre wilderness near the Goshute reservation with a finger of protected land crossing — and essentially blocking — a proposed right of way for a rail spur to bring the waste to the dump. Parkyn says he'll just bring the waste the last 26 miles by truck.

Once, more than 20,000 Goshutes roamed across Utah and Nevada. Now there are only about 500, including the 118 belonging to the Skull Valley Band, according to Bear.

Fewer than two dozen, including children, still live in the cluster of homes and trailers a few hundreds yards off the single highway that cuts through the reservation. Most of the households are below the national poverty level.

At the tribe's only commercial building, the "Pony Express Store" and gas station, the sign is missing several letters and the clerk talks on the phone with little suggestion any customers will be arriving soon.

Some of the economic benefits from the proposed dump are already visible. Amid the old, dilapidated houses are a half-dozen new modular homes — some still waiting to be put on foundations — thanks to money from PFS. Bear lives in one, another belongs to his brother and a third to the vice chairman of the tribe's executive council, also a strong supporter of the waste dump.

Two of Bear's neighbors and sharpest critics — Margene Bullcreek and Sammie Blackbear — have not been offered new homes, says an attorney representing Bullcreek. Blackbear lives in a small trailer just across the road from the new homes.

"It's entirely environmental racism," says Bullcreek, 59. "You have large corporations wanting to

put the nuclear waste that nobody wants in their back yards on our land."

Bear maintains that the tribe approved the waste project in 1996, before the BIA approved it in March 1997 in a decision that itself has been questioned by dump opponents. A local BIA superintendent, David Allison, approved the lease only three days after receiving the final document.

Allison, now retired, defends his decision and says there were months of discussions as the lease was being developed.

"Unquestionably, it's to the benefit of the tribe," he said in a telephone interview.

He acknowledged the issue is "a very political hot potato" and added, "I've even been threatened over this thing."

Anger over the waste dump has spilled over to a bitter dispute over tribal leadership. Bear's chairmanship expired in 2004, but Bullcreek says he has skirted new elections by repeatedly claiming the lack of a quorum before everyone has arrived at meetings.

A lawsuit challenging Bear's lead-

Three years ago, Blackbear and two other nuclear dump opponents assumed leadership of the tribal council and began using its funds. The BIA never recognized them, and they were arrested for theft and received probation.

Last year Bear faced embezzle-

Home for nuclear waste a hot topic

A proposed temporary storage facility for radioactive waste on the Skull Valley Goshute Reservation is yet to be completed due to lawsuits, regulatory hurdles and local opposition.

- Existing hazardous waste storage, landfill and/or incinerator
- Chemical weapons storage or disposal facility



Upon arrival at the storage facility inside a transfer building ...



... the canister containing the nuclear waste will be removed from the shipping cask and transferred to a storage cask.

The storage cask will then be moved outside and placed on a concrete pad with other casks.

SOURCE: Utah Department of Environmental Quality, Private Fuel Storage, LLC, USF



Margene Bullcreek stands beside a sign marking a reservation boundary and nuclear waste

ership and the BIA lease approval was dismissed by a federal court in Salt Lake City.

ment charges and agreed to return \$31,500 to the tribe. He also pleaded guilty to one count of tax evasion. "We don't believe the (tribal) chairmanship is a job," he said, explaining why he didn't pay taxes on his income as tribal leader. "Apparently the feds don't feel that way."

The radioactive spent fuel rods are now kept in pools of water or in concrete containers at power plants. At Skull Valley, they will be kept in steel canisters inside concrete enclosures resting atop a concrete slab.

A private security force will be at the site with double fences cordoning off the inner 100 acres where the

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Waste Bitterly Divides Utah Tribe (continued)

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waste will be kept. PFS officials say the facility will comply fully with NRC security requirements.

Tooele County, which surrounds the reservation, is anything but pristine.

A few miles to the east over the Stansbury Mountain range, the government is storing and burning nerve gas and other chemical agents. To

the south is the Dugway Proving Ground, where the government uses chemical and biological agents in tests. Toward the northwest are private landfills holding hazardous, toxic and low-level radioactive waste. And not far away on the Great Salt Lake is a magnesium plant once ranked by the Environmental Protection Agency as the nation's No. 1 toxic polluter.

Skull Valley itself has long been viewed as a bit foreboding. In the late 19th century, the state located its only leper colony there.

Bullcreek, nonetheless, argues that becoming the country's storehouse for nuclear waste — "this poison," she calls it — is contrary to Goshute tradition. "It will destroy the harmony we have, the tranquility that we have in our valley."

Bear scoffs at the dissent.

"We've got to live today," he says. "We can't go back and live like the old days. You can't feed your children, you can't feed your family that way." Source: Associated Press

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 Waste Oversight website is at <http://www.landercountynwop.com>.

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