

**TESTIMONY OF DARIO HERRERA,
CHAIRMAN, CLARK COUNTY BOARD OF COMMISSIONERS**

**TO THE SUBCOMMITTEE ON HIGHWAYS AND TRANSIT
AND THE SUBCOMMITTEE ON RAILROADS OF THE
HOUSE COMMITTEE ON TRANSPORTATION
AND INFRASTRUCTURE**

April 25, 2002

Thank you, Mr. Chairman, for the opportunity to testify before this Joint Subcommittee Hearing and thank you distinguished members of the Committee for hearing from the Clark County Commission on this matter.

As Chairman of the Clark County Commission in Southern Nevada, I profoundly disagree with the Department of Energy's plan to transport the nation's high-level nuclear waste across the country to be stored at Yucca Mountain, 90 miles from the fastest growing metropolitan area in the nation. The transport and disposal of high-level nuclear waste at Yucca Mountain is a threat to the health and safety of millions of American families across the country.

Nevadans are sincerely committed to finding a long-term solution to nuclear waste. We also understand the grave concerns about having high-level radioactive waste stored near their homes. But the answer is not for Congress to override Governor Guinn's veto. This project will transport highly radioactive waste across the country, passing the homes of millions of Americans. The most appropriate answer is to immediately increase security at existing nuclear power plants to protect the current waste storage facilities, at which there will always be some amount of waste, while aggressively studying new processing technologies, such as transmutation.

Congressional approval of the Yucca Mountain Project and the transportation of high-level nuclear waste across the country will cause severe economic strain on stressed city, county, and state budgets, and put the health and safety of Americans at risk. Apart from misguided political maneuverings, there are no legitimate reasons to move with the Yucca Mountain project. There are four very crucial reasons why the Yucca Mountain Project should not move forward based on transportation issues alone:

1. The transportation of high-level nuclear waste does not simplify national security concerns nor prevent the threat of a terrorist attack on nuclear reactors or on-site waste storage facilities. Transporting this waste across the country magnifies the threat of a terrorist attack and complicates homeland security defense. More than 100,000 truck and trainloads of highly radioactive waste will travel through 43 states for 40 years just to dump the 77,000 metric tons of existing high-level nuclear waste. That means

approximately 7 shipments will begin every morning for 40 years and each will travel an average of 2000 miles along interstate highways. These estimates do not include any future waste from active nuclear reactors.

At any given time, there will be hundreds of mobile terrorist targets throughout the country. Active nuclear reactors will continue to remain targets and will continue to produce an estimated 2,000 metric tons of waste each year. These uncovered casks used to transport waste have proved severely vulnerable to terrorist attack. Whereas on-site storage of spent fuel rods consists of concrete encasements behind the gates, walls and surveillance of nuclear power plant compound. Instead of increasing the security of the just over 100 active nuclear reactors, the Department of Energy proposes increasing the possibility of a terrorist threat and potentially exposing millions more Americans that live hundreds of miles away from the nearest nuclear reactor to that threat.

2. The Department of Energy is eager to point out their track record for shipping waste over the past 40 years. Yet to use the DOE's shipping record as the standard for the quantity of transports to be sent to Yucca Mountain is like comparing an ant to an elephant. Far more waste will be transported per year over the next 40 years than has been transported in total since the advent of nuclear energy.

In their own technical analysis and documents, the Department of Energy admits that accidents and incidents of radiation release will *certainly* occur during their proposed shipping campaign. They have estimated at least two "incidents" will happen each year. The trouble is, no one knows when, where, or how. Furthermore, the Department of Energy plans to track each shipment of high-level nuclear waste using a system that the National Academy of Science called *outdated and incapable*.

3. Most government officials along the proposed transportation corridors are unaware of the immense costs of preparing for, and responding to, an incident involving high-level radioactive waste. Our studies show that the cost to Clark County public safety agencies *just to prepare* for the first shipment of high-level nuclear waste is expected to reach \$360 million. Although the Nuclear Waste Policy Act (section 180 C) indicates that the Department of Energy will reimburse states for additional public safety training and equipment costs incurred as the result of nuclear waste shipments, the State of New Mexico's experience with low-level radioactive waste indicates that sufficient resources will not be made available.

Shipping high-level nuclear waste will result in unfunded federal government mandates. Our studies demonstrate that the costs to Clark County government entities alone for additional personnel, planning, training, and public outreach to prepare for incoming shipments that proceed without incident is expected to reach almost \$2.7 billion over the project's proposed 40 years of shipments. It is doubtful that the federal government is prepared to reimburse communities in 43 states for costs associated with preparing for an unthinkable radioactive accident. This will be yet another unfunded federal mandate burdening already financially squeezed local and state governments, with the taxpayers on the transportation route left holding the bag.

4. Another area of impact that has only been recently acknowledged by the Department of Energy is that of potential property value decrease, the effect on homeowners, and accompanying revenue losses to state and local governments. A study of Clark County bankers and appraisers indicates that even without an attack or accident a property value loss of more than \$500 million can be expected in one of the most active housing markets in the nation. If a severe accident occurred this could grow to between \$6.6 billion and \$8.7 billion, devastating Clark County. In South Carolina, the Department of Energy's shipment of nuclear waste has already resulted in property value losses similar to what has been estimated for Clark County.

Home and property owners along the transportation corridor should also expect similar property value losses. Since property taxes are a significant source of local revenue, local education and emergency services will be adversely affected.

The four major transportation concerns outlined above are only a portion of the hundreds of unanswered questions about a project that was supposed to only progress based on "sound science" but will nonetheless come down to an override vote in Congress despite the Nuclear Waste Technical Review Board's finding that the science at Yucca Mountain is "weak to moderate" and the non-partisan General Accounting Office detailing 293 unanswered technical questions.

I have spoken with other county officials across the nation about the several economic impact that the transportation of nuclear waste will have on their communities. The reaction has been consistent outrage. After explaining this to the National Association of County Officials meeting earlier this year, NACO voted to strengthen their position on the transportation of nuclear waste. County officials along the transportation route are preparing to pass official resolutions opposing the project and will be lobbying members of their federal delegation to oppose the project.

There are alternatives to putting the safety and security of millions of Americans at risk while causing undue economic hardship to taxpayers. There are technologies, such as transmutation, that have shown promise in the search for an alternative to long-term storage. Unfortunately, the Department of Energy's budget proposal for FY2003 cuts transmutation funding by 76 percent, effectively foregoing the search for an alternative.

Despite our frustration over how poorly Nevada has been treated by the Federal government over the years, Nevadans view this not only as a threat to our own security but as a tremendous risk to the entire nation. This is not just "not in my backyard politics," this is about common sense.

I have spoken to thousands of people on this issue and not one has been able to convince me that this project will benefit anyone other than the nuclear power industry.

The nuclear power industry likes to talk about the amount of Americans that live within 75 miles of nuclear waste storage sites, but they fail to mention that as long as nuclear

reactors are active, there will always be waste stored on site and the reactors themselves could still be terrorist targets. They also fail to mention how many millions of Americans live along the transportation route. 50 million Americans live within just one-half mile.

We believe Congress should act to protect the nation's public and economic health and vote against moving forward with the Yucca Mountain project. Instead of putting high-level nuclear waste out on America's roads, Congress should increase security at existing nuclear power plants and continue research into alternatives to long-term storage. Instead of purely protecting the nuclear power industry, Congress should protect the millions of families and the hundreds of local communities that could be devastated by this project.