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Nevada leader calls Yucca construction plans illegal and unnecessary

CARSON CITY, Nev. – Nevada officials objected today to the U.S. Department of Energy’s plans to build a “road to nowhere” along with other construction projects at Yucca Mountain, saying the work is illegal and unnecessary.

DOE and its Office of Civilian Radioactive Waste Management have submitted a draft environmental assessment proposing a wide range of infrastructure improvements at Yucca Mountain, the site about 90 miles northwest of Las Vegas proposed by DOE for the nation’s first high-level nuclear waste repository.

Bob Loux, executive director for Nevada’s Agency for Nuclear Projects, outlined Nevada’s objections to this proposal in a letter sent this week to Dr. Jane Summerson, an environmental assessment document manager for DOE.

“The proposed action contained in the draft EA (environmental assessment) is unnecessary, unjustified and lacking in legal authority,” Loux concluded in the letter. “The proposed facilities and infrastructure can only be justified to support the construction and operation of a Yucca Mountain repository, something that is not permitted under law until DOE has received a construction authorization from the Nuclear Regulatory Commission.”

Loux said Nevada officials and others have raised enough scientific and safety concerns about the Yucca Mountain Project over the years that he believes the site will never be licensed to hold nuclear waste. As a result, he said DOE’s proposed multimillion-dollar construction program would be the real waste.

“This plan could only be justified if the Yucca Mountain repository is approved, and there is no certainty that will ever occur,” Loux said. “In short, the EA does not credibly explain why DOE is pursuing these improvements.”

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In addition to new buildings, power lines and other infrastructure on the Yucca site, DOE proposes to build about 25 miles of new and replacement roads during a two-year construction period. Loux said one of the more unnecessary parts of DOE's plan calls for a two-lane, 36-foot-wide paved road to the crest of Yucca Mountain, "even though no scientific work has been done on top of the mountain."

"This is really a road to nowhere," he said.

Nevada also objects to the increased use of groundwater the DOE plan would require. Loux said DOE's proposal would require using more water than DOE has said in court proceedings that it needs, and more than the state has allowed the federal agency to use at the site.

He said DOE is also being misleading when it cites "the health and safety of its workers, regulators and visitors" to the Yucca Mountain site as the main reason for its planned construction projects. In fact, he said the director of the Office of Civilian Radioactive Waste Management told the U.S. Senate Energy and Natural Resources Committee as recently as Aug. 3 that DOE's plans for new infrastructure at Yucca Mountain are unrelated to health and safety issues.

The two-year, multimillion-dollar construction program is also more significant than DOE has suggested, according to Loux.

"The EA describes the project as involving only maintenance-type activities designed to facilitate ongoing site investigation, but the actual project appears to be much broader in scope," he said. "In addition to performing routine maintenance of existing infrastructure and refurbishing or replacing some existing structures, the proposed project would involve constructing miles of entirely new roadways and utility lines."

Instead of allowing DOE to proceed, Nevada officials prefer a "no-action alternative," which Loux said is less costly and poses fewer environmental risks. He explained that this alternative would allow ongoing operations, scientific activities, and routine maintenance to continue, using existing infrastructure at the site and maintaining and replacing it as needed.

Loux summed up the two main reasons why Nevada contends the entire proposal is unnecessary: "First, if DOE does not receive a license, or DOE's application is further delayed, this project will spend millions of dollars for only a tiny return. Second, the no-action alternative appears capable of fulfilling all of the stated project purposes."

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