

Nuclear Waste Update

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EPA Hears Testimony on Proposed Radiation Rule

The Environmental Protection Agency (EPA) held several public hearings in October in order to collect public comments on its revised Yucca Mountain radiation standard. Both supporters and critics of the radiation standard turned out to voice their concerns at a series of five hearings held in Amargosa Valley, Las Vegas, and Washington, D.C.

A court ruling in 2004 overturned EPA's original rule and sent the agency back to the drawing board to develop a new radiation safety standard for the proposed repository. In August of this year, EPA unveiled its new rule, which includes a two-part standard. Under the new rule, the surrounding population cannot be exposed to more than 15 millirems of radiation for up to 10,000 years. After 10,000 years and up to the one million year mark, the exposure limit is raised to 350 millirems. EPA must collect and consider public comments before issuing its final version of the rule.

About 75 people attended the October 4th hearing in Las Vegas, where representatives for Senator Harry Reid (D-Nev.) and Congressman Jim Gibbons (R-Nev.) delivered statements. According to Shannon Raborn, spokesman for Senator Reid, "EPA's standard is wholly inadequate, does not meet the law's requirements and does not protect the public health." In a written statement, Representative Gibbons stated that "the EPA has an obligation to protect public safety today, tomorrow and in a million years. It should not speculate that a standard which is not deemed safe today could miraculously become a safe standard in the future."

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DOE Shifts Design of Yucca Mountain Repository

The Department of Energy (DOE) announced in October that it is taking a "new path" to improving safety and performance at the proposed Yucca Mountain repository. According to DOE, this new shift in design means the repository will be operated as a "clean" or non-contaminated facility.

The change in design calls for spent nuclear fuel to be delivered to the repository in standard canisters that would not require repetitive onsite handling before being placed in a waste package for burial. The plan eliminates the need for huge, costly surface facilities for waste repackaging.. This new system is intended to simplify both fuel handling and construction of the repository. DOE expects that it will also increase "worker and public safety."

According to Paul Golan, acting director of DOE's Office of Civilian Radioactive Waste Management, "our new plan forward will provide clear direction to improve safety and reliability as well as reduce programmatic risk."

The change in design is also intended to simplify the licensing process. The Nuclear Regulatory Commission must grant DOE a license for a repository at Yucca Mountain before construction and operations can begin at the proposed facility.

The new canisters have yet to be designed. DOE did not provide an estimate of how long the new canisters would take to design, or whether this design shift would effect the repository project's timeline. ☐

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Yucca Mountain License Application Faces Further Delay

The Department of Energy (DOE) has announced that the license application for the Yucca Mountain repository faces additional delays. According to DOE spokesman Craig Stevens, there is as of yet no specific date set for the submission of the license application for the proposed nuclear waste repository. "The process is going to drive the schedule now," he said. "I wouldn't even talk dates at this point." According to Stevens, there are numerous pre-licensing matters that must first be resolved.

The Yucca Mountain site must be granted a license by the Nuclear Regulatory Commission (NRC) before DOE can move forward with the construction and operation of the proposed facility. NRC is a federal agency that regulates all of the nation's nuclear facilities, with the exception of the nuclear weapons complex.

The license application was originally slated to be submitted to NRC in December of 2004. However, various legal and financial complications have forced DOE to move the target submission date back at least twice.

One issue that must be resolved before DOE can submit the license application is the preparation and release of research documents. Under NRC rules, DOE cannot file the application until six months after it has publicly released all background documents supporting research on the Yucca Mountain Project. The documents must be prepared electronically and released on



an internet database known as the Licensing Support Network (LSN).

DOE originally attempted to issue database certification for the LSN in June of 2004. However, the State of Nevada challenged the database, saying DOE had left out millions of pages of documentation in the rush to meet its deadline. A three-judge NRC licensing board agreed with the state and ordered the Energy Department to fix problems with the database before again seeking certification.

Over the past year DOE has been sending thousands of documents to the NRC for inclusion in the database. DOE and NRC have agreed that the new documents will not be added to the LSN and available for public viewing until DOE gives permission.

Once DOE submits the license application to NRC, the commission will have three years with a possible one-year extension to review all of the material before deciding whether to grant a license for the construction and operation of a repository at Yucca Mountain.

NRC has established an electronic hearing room at a facility in Las Vegas in preparation for the licensing hearings.

View the documents currently available on the Licensing Support Network at www.lsnnet.gov. View Eureka County's LSN website at www.eureka.lsndocuments.com

(Source: *Las Vegas Sun*, 8/01/05)

DOE Collects Comments on Proposed Rail Corridor Land Withdrawal

The Department of Energy (DOE) held hearings in September in order to collect comments on the proposed land withdrawal for the Caliente rail corridor. The land withdrawal will allow DOE to continue its studies for the environmental impact statement that must be prepared for the proposed corridor. In April of 2004, DOE selected the Caliente corridor over other alternatives as its preferred location for the construction of a rail line to transport nuclear waste to the Yucca Mountain repository.



In August, DOE announced plans to withdraw 308,600 acres of public lands in Nevada for up to 20 years. Once withdrawn, the land in question would be restricted from surface entry and mining. The withdrawal would also prevent the Bureau of Land Management from selling property on the parcels.

In December, BLM announced that it approved DOE's request, but only to study the land. If DOE wants to build the rail line, DOE must apply again. During the study period, engineers for the Department will conduct field surveys and photograph land features to identify a specific route for the railroad within the corridor.

The public comment period on the proposed withdrawal ended on September 28th. Energy Spokesman Allen Benson said the department received about 30 comments on the proposed action.

(Source: *LV Sun*, 9/27/05, *NW News* 1/12/06)

Nuclear News . . . In Brief

NRC Approves PFS UT Nuclear Waste Storage Plan . . . Congress Designates Wilderness Area in Skull Valley...

The Nuclear Regulatory Commission has approved a private company's plans to store nuclear waste on the Goshute Indian Reservation in Utah. Private Fuel Storage, a consortium of nuclear utilities, wants to store 44,000 tons of nuclear waste at the proposed facility while awaiting the opening of the Yucca Mountain repository. The waste will be above ground in casks on acres of concrete pads. In January, President Bush signed the Defense Appropriations bill which designated the Cedar Mountain Wilderness Area, hindering PFS's plan to build a rail spur to the storage site. PFS is now considering heavy haul trucks from the Union Pacific mainline to transport the waste. It took eight years for NRC to approve the PFS application.



(Las Vegas Review-Journal, September 10, 2005; Nuclear Waste News, Jan. 12, 2006)

Congress Cuts 2006 Funding for Yucca Mountain

Project . . . Lawmakers agreed in November to cut spending on the repository project to \$450 million in 2006. This amount was well below the \$577 million allocated to the project last year. The amount also failed to meet the budget request of President Bush, who asked for \$650 million for the project. Two years ago, the Department of Energy predicted needing \$1.2 billion in Yucca Mountain funding for 2006. However, that was when officials were planning to submit a license application for the facility and open the repository by 2010. Since then, a series of setbacks have slowed the project. Lawmakers scrapped a House proposal to spend \$10 million to produce a plan for temporary above ground spent fuel storage. Instead, the bill contains \$50 million for nuclear waste recycling.



(Las Vegas Sun, November 7, 2005)

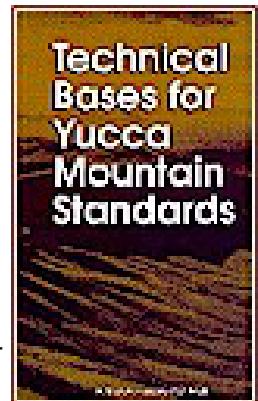
"Hearings" continued from page 1

Ian Zabarte, a spokesman for the Western Shoshone, also testified at the October 5th meeting. According to Zabarte, the EPA's new standard does not take into account the lifestyles and diets of Native Americans who thrive off the land and value the Yucca Mountain site as sacred. "Right now, a particular class of people are being disenfranchised," he said.

Several critics testified that EPA should strike down its current proposal and produce a standard that would extend the protections for the first 10,000 years to the one million year mark. Critics also advocated for a more stringent standard for groundwater.

Lois Gibbs, executive director of the Center for Health, Environment, and Justice, testified at the Washington hearing. She argued that the two-tiered standard is not protective enough in the post 10,000-year period. "EPA's proposed standards do not prevent serious harm, they cause serious harm," Gibbs said.

Supporters of the new standards also testified at the hearings. Bill Vasconi, a proponent of the proposed nuclear waste repository, pointed out that more people will be killed by car accidents and lightning strikes than will die from the radiation releases allowed under the new standards.



Jan Cameron, chairwoman of the Amargosa Valley Town Advisory Board, said that there was little likelihood of danger from Yucca Mountain. According to Cameron, the residents of Amargosa Valley have "very little concern about the increase in radiation." However, she also noted that "it doesn't mean there shouldn't be monitoring and they shouldn't be keeping an eye on it."

Steven R. Kraft, a representative of the pro-Yucca Nuclear Energy Institute, testified at the hearing in Washington. According to Kraft, extending the radiation standard beyond 10,000 years is not a good idea. "Implementation of the disposal program should not be delayed while scientists, engineers, and regulators speculate about what might happen one million years from now," he said.

Eureka County submitted written comments stating that, "The (EPA) rule should be written to protect public health and safety rather than to accommodate the many flaws in the site, and the site's inability to contain the radiation."

EPA has not indicated when the final rule will be issued. ☐



Golan takes helm of OCRWM
DOE's Office of Civilian Radioactive Waste Management is now led by acting director

Paul Golan, who

was assigned to the post in April by Energy Secretary Bodman. Golan, a former Navy officer, has worked to instill in OCRWM an "accountability culture." Recently Golan has spearheaded a shift in the design of the repository to a "clean" facility (see page 1). If administration nominee Edward Sproat is confirmed as director, Golan will likely remain as principal deputy secretary. (*Las Vegas Sun* 9/9/05, 11/10/05; *Nuclear Engineering International* 9/14/05)

Audit criticizes bonuses paid.... DOE paid incentive fees to Yucca Mountain management contractor Bechtel SAIC for work that was found to be late or unacceptable. The DOE Inspector General is challenging about 10% of the \$43.4 million in bonus bucks Bechtel received for Yucca work done between February of 2001 and September of 2004. Bechtel's five year \$3.2 billion contract expires in March, 2006. (*Las Vegas Review-Journal*, 10/7/05)

DOE IG finds more email questions.... In November, the DOE IG reported finding more emails that raise questions about work performed and quality assurance at Yucca

Mountain. The IG also criticized DOE's internal email review process which did not flag the questionable emails. In response, Acting OCRWM Director Golan issued a corrective action plan. (*LV Review-Journal* 11/17/05) **DOE doubles Caliente rail cost estimate** The price tag for the 319 mile Caliente route is now \$2 billion, including building rail yards and maintenance features along the way. Previous estimate in the EIS was \$880 million (*LV Review-Journal* 12/7/05) **DOE halts some work at Yucca....** DOE suspended Bechtel SAIC's work on engineering and pre-closure safety for repository design in January until a review team assesses whether work meets current requirements. The stopped work includes design of an above ground complex for handling nuclear waste canisters. (*LV Review-Journal* 1/6/06) **DOE announces reorganization plan....** DOE will "refocus" on transportation and make "significant organization changes," says DOE spokesman Allen Benson. The plan will affect DOE staff in Nevada and Washington DC. "We're also going to eliminate the distinction between East and West," Benson said. (*LV Review-Journal* 1/13/06) **DOE picks Sandia Lab to lead scientific and technical work at Yucca Mountain....** Sandia National Lab in New Mexico will improve credibility of the Yucca project with scientists and federal regulators, according to DOE's Paul Golan. Sandia coordinated DOE research at the Waste Isolation Pilot Plant in NM, which opened in 1999. (*LV Review-Journal* 1/19/06) ☐

Eureka County on the Web! New Updates on the Yucca Mountain Project!

Check out the county's website at www.co.eureka.nv.us. Log on to our nuclear waste website at www.yuccamountain.org to get information on Yucca Mountain and its effects on the residents of Eureka County. Info includes news, maps, links, photos, and transportation updates.



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