

Shut Down Yucca Mountain!

What Can You Do?

Background:

The Nuclear Waste Policy Act of 1982 promised to nuclear power companies that the US government would take title to the waste produced by plants, and remove it to a national repository by 1998. Advocates see Yucca Mountain as the key to launching a "nuclear renaissance," and approximately 30 possible new reactor permits are being sought in the next year. There have been judgments that have awarded power plant owners financial damages since the federal government did not take title to the waste in 1998 as promised. While we cannot change the past, we can close out the unworkable strategy of 1982, and implement a new strategy.

Power plant owners have legitimate financial claims that should be made whole. Local communities are concerned about what will happen to waste produced by neighboring nuclear plants, especially when those plants apply for relicensing, when there is no solid plan for the waste. There is a great deal of confusion and misinformation circulating about spent fuel rod "recycling," and the safety issues of storing waste on-site. Municipalities are concerned about the loss of jobs from a closing power plant, and the replacement of "base load" power sources.

While Senator Reid has already stated his opposition to Yucca Mountain, there are limits to what the Majority Leader can do. We need a bold, comprehensive game plan.

The Game Plan

End the Current Unworkable Nuclear Waste Policy:

- **Formally repeal the Nuclear Waste Policy Act of 1982**
- This policy is an immoral law and should be repealed. Power companies who wish to build nuclear power plants should deal with the waste themselves following NRC guidelines, instead of foisting it off on someone else. This corrupt law gives unfair market advantage to one energy producing sector, while feeding the nuclear weapons complex. Because the establishment of a national repository is enshrined in law, it is necessary to repeal that law in order to consider alternatives. This will also mean the end of payments into the Waste Fund.
- **Close down the Yucca Mountain Project**
- This project has been riddled with fraud for years, from the "lost" geologic studies to the falsified hydrologic data. It is being built on land that by treaty is party of the Western Shoshone Nation. This land was never ceded to the US government by the Western Shoshone people. The United Nations Committee for the Elimination of Racial Discrimination in its historic March 2006 decision against the United States directed the United States to "freeze, desist and stop" actions against the Western Shoshone Nation, including the Yucca Mountain project. The transportation of High Level Nuclear Waste would require rail lines and highways to carry this waste through high-population areas, including the I-80 corridor and rail line bottleneck in Salt Lake City, exposing urban areas to extraordinary risk from terrorism and accidental radioactive release. There is no comprehensive plan to train Emergency Response Teams to handle radioactive accidents, and there have already been accidents where local teams were completely unprepared to handle radioactive incidents. The Department of Energy must engage in sincere dialogue with the Western Shoshone nation on appropriate actions for closing down the site.
- **Compensate power companies for their outlay into the Waste Fund, and stop further assessments.**
- We support the recent judicial decisions that awarded damages to power companies for their payments into the Waste Fund, given that the federal government did not follow through on its obligation to open a national repository by 1998. A legal obligation was created, and due compensation should be paid. This could be done with funds currently earmarked for subsidies.

Develop an Alternative Waste Policy:

- **Store existing waste in hardened on-site storage.**
- Diligently safeguard the existing waste in above ground monitored facilities. This allows for constant surveillance. A hole in the ground, wherever it is located, is susceptible to leakage. Hanford, WA and Savannah River, GA are both cases where strategies for burying waste have failed, and local water supplies are being contaminated. Numerous organizations have already signed on to the HOSS (Hardened On-Site Storage) letter calling for this method. If waste is stored on-site, plant infrastructure can be maintained, and costly decommissioning expenses avoided. It prevents the dumping of the radioactive dismantled and ground up plant to other communities such as Utah. Even Skip Bowman, current president of the Nuclear Energy Institute favors on-site storage.
- **Resist distracting policies: interim storage and spent fuel rod "recycling."**

- Policies such as that proposed by Senator Domenici in the last Congress for interim storage in off-site possibly regional facilities, require time-intensive siting procedures, hold the risk of environmental racism in the selection and the plan as a whole was vigorously opposed by several governors. These plans would also require the transportation of waste off-site to these proposed facilities, involving all the risks of waste transportation (so-called "Mobile Chernobyls") under analysis for a national repository. Even the Nuclear Energy Institute believes that the new reprocessing technology is decades from usability in a commercial setting. Despite considerable debate about its feasibility, over \$400 million is allocated for it in the proposed 2008 budget. The public must be informed about reprocessing failures and dangers in both the US and abroad.
- **Revise NRC policies to allow more input by local communities**
- Local communities must be given say not only on the initial siting of a power plant, but substantial say in whether it should be relicensed at the end of its initial 40 years, or whether uprates should be approved, since uprates increase the volume of waste produced. Currently, local communities are severely restricted in the objections they may bring up. Concerns about waste storage and viability of evacuation plans are currently not allowed as viable concerns in a relicensing process. These concerns are being brought forward by the communities around Oyster Creek, Vermont Yankee and Pilgrim. The NRC regularly makes agreements with states to cede authority to them over certain types of radioactive waste (Agreement States), so there is precedent in allowing local control over issues within the jurisdiction of the NRC.
- **Expose the true costs and risks of nuclear waste.**
- The spent fuel produced by plants can be used in many forms for the construction of nuclear weapons, and has been subject to loss, theft and smuggling. The decommissioning process requires that the radioactive plant components be broken down and buried in approved facilities, foisting this waste on others, who usually have received no benefit from the plant's operation.

Take Action!

- **Support S. 784** - This bill, introduced on March 6, 2007 A bill to amend the Nuclear Waste Policy Act of 1982 to require commercial nuclear power plant operators to transfer spent nuclear fuel from the spent nuclear fuel pools of the operators into spent nuclear fuel dry casks at independent spent fuel storage installations of the operators that are licensed by the Nuclear Regulatory Commission, to convey to the Secretary of Energy title to all such transferred spent nuclear fuel, to provide for the transfer to the Secretary of the independent spent fuel storage installation operating responsibility of each plant together with the license granted by the Commission for the installation. Especially if you live in a state that hosts nuclear power plants, it is important for your Senators to hear from you. For the full text, search on S.784, or Nuclear Waste Policy Act at <http://thomas.loc.gov> **Contact your Senators** at www.senate.gov.
- **Write to the NRC**, urging them to change their rules to allow local communities to oppose the re-licensing or "uprate" of a nuclear power plant based on the increase in on-site storage of spent fuel rods. Details on how to submit a Rulemaking Petition are here: <http://www.nrc.gov/about-nrc/regulatory/rulemaking/petition-rule.html>
- **Become involved with grassroots groups** in your area. Send us a message requesting more information about groups in your area.