

Summary

Nevada families overwhelmingly oppose Yucca Mountain. One simple reason: it's not safe.

Consistent 25-year opposition to Yucca Mountain remains as strong as ever. Polls show more than 75% of residents want to continue fighting proposal.

Nevadans recognize dangers of burying nuclear waste 90 minutes from Las Vegas -- Nevada's economic engine, home to more than two million residents and a destination that draws 40 million visitors annually.

Must keep in mind Yucca Mountain's bloated price tag, history of chronic delays, failed quality assurance program, and the long list of scientific and technological shortcomings that plague the project. Worker e-mails uncovered with statements such as: "In the end I keep track of 2 sets of files, the ones that will keep QA happy and the ones that were actually used," and "If they need more proof I will be happy to make up more stuff."

Unresolved issues surrounding the proposed dump: No radiation standard. This issue is a key basis for determining Yucca Mountain's performance, yet DOE filed its license application without finalization of this important safeguard.

Violent earthquakes and volcanoes have rocked Yucca Mountain in the past and there is no reason to think these threats cannot strike again.

No canister currently exists that is capable of storing waste. Plans also call for billions of dollars in drip shields to be added by robots that have yet to be invented.

Transportation Dangers: 50 million Americans will be at risk from thousands of nuclear waste shipments. Each a prime target for terrorists. Accidents will leave families and communities vulnerable to threats and millions of dollars in potential clean-up costs.

Yucca Mountain is decades behind schedule: Waste shipments were supposed to begin arriving in Nevada in 1998. Today, that date has slipped to 2020 or beyond and it will be 2050 or later before all current waste is shipped.

Price tag for Yucca Mountain has ballooned. Congress has been told to expect a figure near \$80 billion mark. Project already qualifies as a prime example of Grade "A" radioactive pork.

Waste does not have to be moved. Waste can safely remain on-site for the next 100 years in dry cask storage. Costs a fraction of Yucca Mountain's price tag and avoids transportation risks. Interest in U.S. reprocessing plant raises question of how many times waste would be moved. Leaving waste on-site while options are debated leaves open future alternatives to burying in Nevada.

Yucca Mountain will NOT eliminate nuclear waste at plants where power is being generated. As long as a nuclear power plant is operating, nuclear waste will remain. We are not creating one repository to hold all waste for all time; we are just creating one more place where toxic nuclear waste will be stored.

Yucca Mountain is already full. No new waste from even a single new nuclear power plant can be sent to Nevada without lifting the cap now in place. Key point in light of calls for dozens of new nuclear power plants to be built in coming years. Shows why nuclear power not a clean source of electricity.

Nevada's Congressional delegation and the State are challenging a \$100 million no-bid sweetheart contract for work on Yucca Mountain to a law firm with a blatant conflict of interest.

Nevada delegation has asked the Secretary of Energy to recuse the firm of Morgan Lewis. Conflict of interest has also raised red flags at Justice Department which has questioned no-bid contract given potential impact on cases involving huge liability claims. Morgan Lewis must be replaced and the \$100 million contract put forward again with open and fair bidding process.

Statement of Congresswoman Shelley Berkley (NV01)
Subcommittee on Energy and Air Quality
Hearing on “Next Steps toward Permanent Nuclear Waste Disposal”
July 15, 2008

Mr. Chairman, Members of the Subcommittee. Thank you for the opportunity to testify today and please allow me to get right to the point.

Nevada families are overwhelmingly opposed to our home state becoming this nation’s nuclear garbage dump. Over the past 25 years, we have been fighting Yucca Mountain for one simple reason: it’s not safe.

Nevadans know a bad bet when we see one. I can report that opposition to Yucca Mountain at home remains as strong as ever, with polls showing more than 75% of Nevada residents saying they want to continue fighting this reckless proposal.

That is because we recognize the danger of burying toxic nuclear waste 90 minutes from the Las Vegas Valley -- Nevada’s economic engine, home to more than two million residents and a destination that draws 40 million visitors from around the globe annually.

Today you will no doubt hear much about the “progress” made on Yucca Mountain, including the submission of a license application to the NRC.

However, I would ask you to also keep in mind the project’s bloated price tag, history of chronic delays, failed quality assurance program, and the long list of scientific and technological shortcomings that continue to plague Yucca Mountain.

This includes e-mails sent by workers on the project containing statements such as:

"In the end I keep track of 2 sets of files, the ones that will keep QA happy and the ones that were actually used," and "If they need more proof I will be happy to make up more stuff."

No wonder Nevadans have an utter lack of confidence when the words “sound science” and Yucca Mountain are used in the same sentence.

Allow me to list just a few more of the unresolved issues surrounding the proposed dump.

No radiation standard: A federal court struck down EPA’s original radiation standard for Yucca Mountain. Current law requires that the standard covers at least 300,000 years – the period of peak danger.

This issue is a key basis for determining Yucca Mountain’s performance. Yet DOE filed its license application without finalization of this important safeguard.

Earthquakes and Volcanoes. Violent earthquakes and volcanoes have rocked Yucca Mountain in the past. There is no reason to think these threats cannot strike again.

No canister currently exists that is capable of storing waste. Should this magic canister appear, plans call for billions of dollars in so-called drip shields to be added long after waste has gone into Yucca Mountain.

The State of Nevada has argued, with good reason, that installing these drip shields a century from now probably won't be possible because DOE's plan relies on robots that have yet to be invented.

Transportation Dangers: 50 million Americans will be at risk from thousands of nuclear waste shipments barreling down America's roads and railways. Each a prime target for terrorists seeking to do harm or hunting for the materials to make a dirty bomb.

And we know accidents involving high-level nuclear waste will occur, leaving families and our environment vulnerable to decades of this threat and exposing communities to millions of dollars in potential clean-up costs.

Yucca Mountain is decades behind schedule: Waste shipments were supposed to begin arriving in Nevada in 1998. Today, that date has slipped to 2020 or beyond and it will be 2050 or later before all current waste is shipped.

The price tag for Yucca Mountain has ballooned and with \$4.00 gas, the cost is growing. I would note that it has also been nearly two years since DOE promised this Committee it would provide an updated lifecycle cost analysis for Yucca Mountain.

This revised estimate was originally to be delivered in 2006. Promises were made, not only to members of this Committee, but also to the GAO and my office.

I would ask DOE to explain why it has taken nearly two years to update this important cost analysis and why it failed to honor its pledge that this task would be completed long ago.

Up until this point, we have been told to expect a figure approaching the \$80 billion mark and I am anxious to learn the new amount.

Not that \$80 billion does not already qualify this project as a prime example of Grade radioactive pork.

Waste does not have to be moved. Experts agree on one thing. Waste can safely remain on-site for the next 100 years in dry cask storage. This ready-made option costs a fraction of Yucca Mountain's price tag and avoids transportation risks.

Remember, on-site storage is already being done and the fact remains that waste is going to stay at existing and former plant sites for at least another decade or more, even under the rosier of scenarios.

This brings me to a key point: Those looking at alternatives to current nuclear waste policy should not rush to move waste to Yucca Mountain given the evolution in thinking that is now taking place.

This includes interest in the construction of a U.S. reprocessing plant -- which I oppose -- that would treat waste before it is sent to a repository.

Such a scheme raises the question of how many times we are planning to ship high-level nuclear waste.

Will it go to Nevada first, only to be removed and sent to a reprocessing plant, then re-shipped to my home state?

And what about interim storage? Do we move it from the plants to regional sites to reprocessing and then to Nevada?

Leaving waste on-site while options are debated leaves open future alternatives to burying this garbage in the Nevada desert.

But what about consolidating the waste in one place?

Here is what the nuclear industry does not want you to know: Yucca Mountain will NOT eliminate nuclear waste at plants where power is being generated.

This is a patently false claim used to justify a flawed policy. Simply put: as long as a nuclear power plant is operating, some amount of nuclear waste will remain. We are not creating one repository to hold all waste for all time; we are just creating one more place where toxic nuclear waste will be stored.

Under current law, Yucca Mountain is already full. No new waste from even a single new nuclear power plant can be sent to Nevada without lifting the cap now in place. This remains a key unanswered question in light of calls for dozens of new nuclear power plants to be built in coming years.

This fact also highlights why nuclear power can never be called a clean source of energy when the waste created by these plants remains a threat for hundreds of thousands of years. Our nation's energy future should be built on solar and other forms of green energy that do not create the type of deadly radioactive by-products set to be dumped at Yucca Mountain.

Finally, I would note that Nevada's Congressional delegation and the State are challenging a \$100 million no-bid sweetheart contract for work on Yucca Mountain to a law firm with a blatant conflict of interest.

Twice we have asked as a delegation for the Secretary of Energy to recuse the firm of Morgan Lewis, which is both suing the taxpayers on behalf of the nuclear industry, while also representing the Energy Department on the taxpayers' dollar.

We have yet to receive an answer.

This acknowledged conflict of interest has also raised red flags at the Justice Department which has questioned the awarding of this no-bid contract given the potential impact on cases involving huge liability claims.

The families of Nevada deserve fair treatment in the Yucca Mountain licensing process and the taxpayers of America deserve to have their financial interests protected. Morgan Lewis should be replaced and this \$100 million contract put forward again with an open and fair bidding process.

Thank you and I look forward to answering any questions.