



2. NUCLEAR WASTE: Yucca supporters see new hope for repository

(03/16/2011)

Katie Howell, E&E reporter

Supporters of the Yucca Mountain nuclear waste repository in Nevada are optimistic the project will see new life, even after the Obama administration pulled support for the project and as the ongoing disaster in Japan has raised questions about the safety of nuclear power.

House appropriators yesterday quizzed Energy Secretary Steven Chu on the department's ability to restart operations at the shuttered nuclear waste repository if the U.S. Circuit Court of Appeals for the District of Columbia or the Nuclear Regulatory Commission decides the agency was in error in canceling the program. The White House instead has commissioned a "blue ribbon" panel to find an alternative waste solution, and the panel's decision is due out in June, Chu said yesterday.

Supporters of the project have argued that the Energy Department had no authority to withdraw its license application for storing nuclear fuel at the 24-year-old site.

House Energy and Water Development Appropriations Subcommittee Chairman Rodney Frelinghuysen (R-N.J.) yesterday said it was "beyond DOE's purview" to close down Yucca. And he is not alone in his sentiment.

Washington state, South Carolina and other plaintiffs have filed a lawsuit in federal court, saying the Obama administration overstepped its authority in attempting to shut down the project. The U.S. Circuit Court of Appeals will hear opening statements in that case starting next week.

NRC is also evaluating whether DOE has the authority to withdraw the license application. The amount of time it has taken NRC to come to a final decision on DOE's authority to withdraw the license has been criticized by Republicans, the nuclear industry and state regulators. At a minimum, they are asking NRC to finish a review of DOE's application to help inform future repository applications, if not to preserve it as an option as a repository location for future administrations.

Chu yesterday said that his agency will not challenge the court's decision or the commission's recommendation.

"Whatever the commission and the court decides, we will abide by," he told lawmakers during a DOE budget hearing in the Energy and Water Development Appropriations Subcommittee. "That's as simple as that."

But lawmakers on Capitol Hill may not be willing to wait for those decisions to come down. Frelinghuysen said House Republicans are planning to float legislation that would force NRC to make its final decision about the project by a certain date.

A group of Republicans earlier this month floated nuclear energy legislation that would require NRC to finish its review of the site.

And Rep. Norm Dicks (D-Wash.), ranking member on the Appropriations Committee, hinted Congress may override the administration's decision.

Chu stressed that DOE lawyers are confident the department was justified in withdrawing its application for Yucca Mountain.

"We'll be taking it one step at a time. We've preserved the records ... and so if we're required to start it up, we will start it up," Chu said.

But lawmakers are concerned the agency is no longer prepared to do so.

"My concern is even if Congress goes in and says we're going to override what the administration did -- we want to proceed on Yucca -- that you had dismantled essentially the personnel at Yucca Mountain," Rep. Mike Simpson (R-Idaho) said. "So what would it take to restart that if Congress decided to do that? How difficult would it be to get those technical people back on the job? Would it be impossible to do? Would it be very difficult to do because they've moved on to other jobs?"

Chu said there would certainly be lag time in restarting Yucca operations. "We preserved the records of what was going on, so they're fine. It would take some time, but ... I don't see it taking three years or two years to start up in full."

But Simpson quipped back, "I see the future of Yucca Mountain being a place where we can store all those records and studies done on Yucca Mountain."

Advertisement



PLUGGED IN
REINVENTING THE AUTOMOBILE

E&E TRACKS AUTOMAKERS' EFFORTS TO ANSWER PRESIDENT OBAMA'S CALL FOR 1 MILLION PLUG-IN HYBRIDS ON THE ROAD
AN E&E SPECIAL REPORT



Premier Information Source for Professionals Who Track Environmental and Energy Policy.

96-2011 E&E Publishing, LLC [Privacy Policy](#) [Site Map](#)
