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## **Nevada calls for Sandia to be investigated, suspended from Yucca Mountain Project for “putting schedule over safety”**

LAS VEGAS – Nevada’s attorney general and lawyers helping the state combat a nuclear waste dump planned for Nevada’s Yucca Mountain filed a petition today calling for Sandia National Laboratories to be suspended from the Yucca Mountain Project and investigated for compromising the safety of the project in order to meet its schedule.

The petition to the Nuclear Regulatory Commission was filed today by Nevada Attorney General Catherine Cortez Masto and Joseph R. Egan, of the Washington, D.C.-based law firm of Egan, Fitzpatrick and Malsch.

“Common sense and experience teaches that a plan which puts schedule ahead of defensibility and defensibility ahead of genuine scientific credibility is a recipe for disaster,” the petition states.

Citing internal communications by Sandia project managers sent as recently as last October, Cortez Masto and Egan contend that the key U.S. Department of Energy contractor on the Yucca Mountain Project is “creating a work environment where schedule trumps everything and employees cannot feel free to raise safety concerns or even complete needed safety analyses.”

Nevada’s lawyers note that Sandia’s scientific and related work on the proposed nuclear waste dump are vital to its ability to safely store the nation’s nuclear waste for millions of years.

Yet, they said Sandia has warned its employees in writing that “the three priorities” for Sandia’s Yucca work are “schedule, defensibility, and credibility, in that order,” and that if Sandia fails to meet DOE’s schedule for completion of its work by next June, its employees will be “all out of a job.”

(more)

Cortez Masto and Egan cite several internal e-mail messages obtained through public records as the source of these findings. These e-mail messages are included as exhibits in the state’s petition to the NRC.

Nevada’s legal team contends these documents and actions by Sandia and DOE paint a picture of a federal agency and its contractor jeopardizing the safety of one of the most costly and important projects in American history to keep an “artificial” schedule set by DOE to file a construction permit application with the NRC by June 30, 2008.

Nevada’s petition states that “the danger inherent in announcing and imposing an inflexible, artificial schedule is that meeting it will take on overriding importance, and safety will get shortchanged. Nevada files this petition because documentary evidence shows that this is precisely what has happened at Sandia.”

The petition concludes by calling on the NRC to take the following actions:

“Specifically, NRC should inform DOE that: (1) it must arrange immediately for the ‘safety culture’ within Sandia’s Yucca Mountain Project to be investigated by an independent, outside organization; and (2) if that investigation confirms what the above documents suggest and Nevada fears is the case, DOE must order Sandia to suspend all work on the license application, at least until adequate reforms are in place and verified to be sufficient.”

Bob Loux, executive director of Nevada’s Agency for Nuclear Projects, said this case is further proof of “fatal flaws” in the federal government’s plans to build the world’s first high-level nuclear waste dump at Yucca Mountain, about 90 miles from Las Vegas.

Loux said the investigation being sought by the state should also enable an independent authority to review documents and statements that he suspects will show the impending license application “will deliberately not include full disclosure to NRC of known Yucca Mountain safety problems.”

If NRC’s investigation confirms these concerns, Loux said “Sandia should be suspended immediately” from working on the Yucca Mountain Project.

For a copy of the petition and more information on Nevada’s opposition to the Yucca Mountain Project, visit [www.state.nv.us/nucwaste/](http://www.state.nv.us/nucwaste/).

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