STATEMENT OF NEVADA GOVERNOR JIM GIBBONS

October 31, 2007

Honorable Madame Chair and members of the committee, it is my honor as the Governor of the State of Nevada to submit these written comments for the Committee’s consideration. While I could not be present today to testify in person, I ask the Committee to carefully consider these written comments, as well as the comments presented by Nevada’s federal delegation and Nevada’s Attorney General. I am pleased that all of us stand in unified opposition to the Yucca mountain project.

During my ten years of service to the State of Nevada in Congress, I fought tirelessly against this flawed project. Now, as Governor, I appreciate the opportunity the people of Nevada have given me to continue the fight.

The Yucca mountain project always has, and always will, be based on unsound science, questionable legal interpretations, and poor public policy. I trust this Committee will carefully consider Nevada’s views. As a matter of both science and law, and in the interests of state comity and sound national policy, Yucca Mountain should not be developed as a high-level nuclear waste repository.

Nevada has done more than its share with respect to exposure to high-level radioactive waste. Nevada served as a nuclear weapons testing area during the Cold War. Hundreds of millions of radioactive curie contaminants from those tests remain embedded in Nevada soil to this day, exposing many Nevadans to serious health risks. Nevadans have not forgotten this legacy.

Now, the Department of Energy seeks to foist even more harmful contaminants on the people and lands of Nevada. Not only does the Department of Energy seek to store radioactive waste in Nevada, but by necessity, seeks to transport that same waste through Nevada, including through and near major metropolitan areas.

The Department of Energy has mismanaged this project from its ill-conceived inception. This mismanagement is well-documented and has been the subject of numerous legal challenges and repeated public testimony by Nevada public officials. The geologic issues at Yucca mountain are numerous and concerning. The Department of Energy has not been able to demonstrate that the planned repository is able to geologically isolate radioactive waste. The Nevada Nuclear Regulatory Commission has identified hundreds of technical issues that remain unresolved to this day. The Yucca mountain project site is located in an area that has been identified as prone to volcanic activity. Even more concerning is the seismic integrity of the site. Yucca Mountain sits in the heart of one of the largest earthquake fault zones east of California. Hundreds of earthquakes greater than magnitude 2.5 have occurred at the Yucca site just in the past twenty years. The Yucca mountain site is also prone to serious groundwater seepage. Recognizing the deteriorating effects groundwater can have on storage casks, the Department of Energy has suggested that a drip shield is appropriate. This Committee should ask itself, if this site is truly geologically appropriate, why does the Department of Energy need to spend billions of dollars on a man-made drip shield?
Against this backdrop are the recent and continuing disingenuous actions of the Department of Energy. Just this year, Nevada was forced to go to court to stop the Department of Energy from flaunting Nevada water law in an attempt to drill bore-holes for soil samples at the Yucca site. The Department of Energy chose to ignore Nevada law and simply drilled numerous bore-holes without permission. Fortunately, a federal district court recognized that the Department of Energy is required to follow Nevada water law just like everyone else, and the bore-hole drilling project was stopped. However, the cavalier attitude the Department of Energy has taken towards the state of Nevada is telling, and is certainly cause for grave concern.

In the next few days many of you will return to your homes thousands of miles away from Nevada, but for many in the hearing room today, Nevada is home. Nevadans are the ones who have to risk deadly exposures based on the Department of Energy’s culture of ignoring science in favor of expediency. And I remind you that there is still no viable plan for transporting this deadly waste through our communities for thousands of miles. The safety of the American people along the transportation route is in jeopardy due to this moving hazard that too easily could be a moving target. It is my hope that our federal public officials will fully examine this project in a common-sense and scientifically sound manner and be able to ignore the pressures of rubber stamping this project. It is Nevada’s hope that you will see the flaws and the risks associated with opening Yucca Mountain and transporting high-level nuclear waste. It is our hope that you will protect the people of Nevada and of this great nation.

I thank you for you time today, and I respectfully request that these comments be introduced into the record.