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ATTORNEY GENERAL CATHERINE CORTEZ MASTO FILES CHALLENGE TO YUCCA MOUNTAIN RADIATION STANDARD

Carson City, NV -- Nevada Attorney General Catherine Cortez Masto announced today that her office is filing suit in the U.S. District Court of Appeals for the District of Columbia Circuit seeking to invalidate the recently announced Environmental Protection Agency (EPA) radiation standard for the proposed high-level nuclear waste repository at Yucca Mountain. EPA recently issued its final radiation standard for the proposed Yucca Mountain repository after Nevada's successful 2004 challenge invalidated an earlier EPA radiation standard.

EPA's issuance of the final standard September 30, 2008 comes roughly three weeks after the Nuclear Regulatory Commission (NRC) formally docketed the Department of Energy (DOE) repository application for licensing review. NRC, whose own repository licensing requirements must reflect the EPA standard, has said it cannot license a repository until the final EPA standard is in place. As with the draft standard EPA issued nearly three years ago, the final standard is a two-tiered regulation that would establish for 1 million years the levels of radiation from a repository at Yucca Mountain. The EPA retained its earlier proposed 15 millirem annual dose limit for the first 10,000 years after the waste is emplaced, but allows up to 100 millirem dose after 10,000 years.

"The new EPA standard once again fails to protect the health and safety of Nevada citizens, and the environment," said Attorney General Catherine Cortez Masto. "EPA has obviously worked closely with DOE to adjust its radiation standard in an attempt to steamroll this project through licensing, but has failed to protect Nevadans from cancer-causing radioactive contamination. DOE's own data shows that water infiltration will corrode nuclear waste packages and radioactivity will inevitably leak into Nevada's groundwater, delivering lethal doses of radiation to the public and irreparably contaminating the groundwater," explained Cortez Masto.

"Instead of working to protect the health and safety of Nevadans and striving to find reasonable solutions to the nation's nuclear waste problem, EPA and DOE are ignoring science in favor of a project which presents unacceptable risks to the public and presents American taxpayers with a \$90 billion dollar liability they can ill afford," she concluded.
