

STATE OF NEVADA



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State of Nevada Op-Ed Response to N.Y. Times Editorial

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If we “[Follow the Science on Yucca](#)”, as your May 20 editorial recommends, we would abandon the Department of Energy’s project out of hand. It would not meet federal radiation safety rules. In an unprecedented May 11 decision, the Nuclear Regulatory Commission Licensing Boards admitted 299 safety and environmental issues for litigation. It did so in the face of total opposition from DOE for the litigation of even a single issue. The State believes the site to be unsuitable for permanent storage of the nation’s high level waste and spent nuclear fuel.

The Times claims the \$196.8 million dollars recommended by the President is insufficient for the Department of Energy to participate adequately in the licensing process. “There is great danger that the department will lack the expertise needed to answer tough technical questions that emerge during the regulatory commission’s reviews.” However, at a meeting this week in Las Vegas, DOE’s representative Dave Zabransky of the Office of Civilian Radioactive Waste Management told a meeting of affected units of local government that their outside law firm is funded to appropriately support licensing. The Department of Energy has spent close to \$8 billion already on a project that is projected by DOE to cost \$96 billion, making it the most expensive engineering project in world history.

The state of Nevada has seen its funding to participate in the licensing process cut even more drastically than DOE’s. For 25 years, this has been a one-sided presentation. DOE has presented it’s “science” and facts in its 8,500+ page application. The licensing application is finally an opportunity for Nevada and other parties to show through its scientists, experts and attorneys that the proposed boondoggle is fatally flawed. Remember, DOE’s scientists are on their payroll. These are not independent scientists performing investigations in which they have no stake in the outcome. Their work is more accurately described as litigation support for DOE’s lawyers who seek a facility license from the Nuclear Regulatory Commission. Nevada’s scientists are very critical of DOE’s work. Until the NRC reviews the technical issues, and Nevada has the opportunity to subject DOE’s expert witnesses to cross examination, the DOE’s technical conclusions are nothing more than the initial claims of a license applicant.

Whatever the original reasons that drew the Department of Energy to Yucca Mountain, it soon discovered that the site had much more water than originally estimated, and it was moving much faster to the point that it violated the department's geologic criteria established in 1984. In accordance with the law, DOE should have returned to Congress for new instructions. Instead, it simply dropped its geologic criteria, and continued with the project hoping that the waste package could compensate for the inadequate site.

It turns out that even with a "miracle alloy" skin, the waste package is still susceptible to corrosion promoted by dripping water in the hot, oxygen-rich, harsh underground conditions. To protect the package DOE dreamed up a titanium alloy "drip shield" (DOE's name), a five-ton cover for each waste package—11,000 in all.

The catch is that DOE does not plan to install the drip shields for at least 100 years. Due to the conditions in the tunnel in the future, this would require yet-to-be-created robots to install. It is irresponsible to rely on this. In fact it will likely be physically impossible to install the drip shields in deteriorating tunnels, while in 100 years, Congress may not want to spend the \$10-billion-to-\$15-billion to install the shields.

To haul all of the nation's waste thousands of miles through major population centers and insert it inside a leaky mountain with corrosive groundwater, earthquake faults and within a volcanic field is to turn one's head on the problem, not to solve it. Let science catch up and find a permanent solution to nuclear waste, while it is stored safely at the sites that produce it, instead of creating a permanent problem for the next 100,000 years.

The Department of Energy has \$196.8 Million more in federal funds to spend on licensing and a blue ribbon task force to look at alternatives. Nevada is slated to receive only \$3.2 Million in federal funds to present its case in the application process. Certainly if the nation is looking for answers and the truth concerning the project, the State's information must be heard. It clearly reminds one of David vs. Goliath. But at least David could afford the slingshot.

Respectfully,



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