Senator Bryan called the meeting of the Commission on Nuclear Projects to order. Chairman Bryan confirmed with Executive Director Halstead that the meeting was duly noticed in compliance with the open meeting law.

Chairman Bryan welcomed Marie Boutte, PhD., Medical Anthropologist and Associate Professor at the University of Nevada, Reno College of Health Sciences to the commission and thanked the Governor for her appointment.

The minutes from the May 31, 2012 Nevada Commission on Nuclear Projects Meeting were approved. Motioned by Commissioner Roberts. Second Commissioner Tarkanian. All were in favor.

Public Comments – None

Report from Executive Director Robert Halstead

- Executive Director Halstead welcomed Commissioner Boutte and acknowledged reappointment of Commissioner Tarkanian.

- The Department of Energy (DOE) terminated the Yucca Mountain project, the Nuclear Regulatory Commission (NRC) licensing proceeding is suspended, and at present there are no appropriations for the Yucca Mountain project in the continuing resolution (CR).

- DOE is having some difficulty with an implementation strategy for the Blue Ribbon Commission Report recommendations. At this point, we expect something about mid-January. Congress is expected to review recommendations next session. Senator Bingaman introduced a bill to lay out the three most important areas of implementation: 1) what type of government entity should be charged with managing nuclear waste; 2) what would be the programmatic linkage between interim storage and a repository; and 3) how to manage the funds.
The Agency for Nuclear Projects has prepared a flat budget request to the legislature and presented the statutory briefing to the Legislative High-Level Nuclear Waste Committee.

Questions from the Commissioners:

- Chairman Bryan asked if there is any anticipated funding or future continuing resolutions (CRs) that would fund continuation of the Yucca Mountain project. Director Halstead explained that there is no funding in the current CR and there may be another CR for the remaining six (6) months; however, no funding is anticipated at this point in that CR.

- Chairman Bryan asked for clarification on the status of Yucca Mountain and any activities being conducted there at the present time. Director Halstead informed the Committee that there currently is no activity at the Yucca Mountain site, and the Government Accountability Office (GAO) has concluded that it is unlikely that any government-directed activity to recoup some of the expenses can be found. GAO also stated that the buildings are in such ill-repair that it would take substantial funds to bring them up to OSHA standards.

- Commissioner Mackeldon requested clarification of DOE’s role with future storage and who would manage that storage. Director Halstead shared more information on the options of a federal corporation or a stand-alone federal agency. Regardless of which method eventually is chosen, consent-based siting remains a top priority.

- Chairman Bryan asked if there had been any more activity from organizations proposing an energy park at the Yucca Mountain location. Director Halstead explained that the office has not seen a lot of activity in the past few months. Some activity occurred in March from the Nevadans for Carbon Free Energy and some professional societies, as well as in the summer there were proposals from Nye County and Lincoln County to the Legislative’s High-Level Nuclear Waste Committee. The Committee decided not to go forward on any of the proposals. The report to the legislature provides some detail on the technical issues that make the Yucca Mountain site and the area around Amargosa Valley just as inappropriate and in some ways more inappropriate for nuclear reprocessing, interim storage, and certain types of spent fuel research as it is for a repository.

Report of Chief Deputy Attorney General Marta Adams

- Chief Deputy Attorney General Marta Adams was unavailable to attend the meeting.

- Director Halstead updated the Commission on that status of the cases currently pending.

  - In the Aiken County et. al. case, the court on August 3, 2012, issued an order holding the case in abeyance essentially until the end of the lame duck session of
Congress. The arguments are all in. DOE estimates over $100 million will be necessary to prosecute the challenges we have raised.

- DOE is expected to issue a required report sometime in December for the Nuclear Waste Fund Fee case.
- The complicated environmental law case concerning waste confidence required the NRC to redo the Environmental Impact Statement (EIS). NRC staff did not appeal this decision.

Michon Mackedon was elected as the Vice Chair. Motion by Commissioner Roberts. Second by both Commissioners Brown and Tarkanian. Approved unanimously.

The biennial Report and Recommendations of the Nevada Commission on Nuclear Projects, which will be presented to the Governor and Legislature, was approved as modified. Moved by Commissioner Tarkanian. Second by Commissioner Roberts.

Comments from Affected Units of Local Government and Tribal Representatives

Dan Schinhofen – Vice Chairman Nye County Commission. Addressed the Commission regarding the BRC recommendations and Nye County’s position.

Phil Klevorick – Clark County Nuclear Projects Office. Addressed the Commission with an update on the status of Clark County’s activities with regard to nuclear waste, NNSS, and finalizing the lessons learned documentation. Mr. Klevorick presented a single copy of the Nevada National Security Site Environmental Report Summary 2011 to the Commission and will coordinate distribution to all the Commissioners with the secretary.

Ed Beaman – Timbisha Shoshone Tribe. Updated the Commission on changes in tribal representation.

Additional comments: None

Comments from the public:

Dr. Jacob Paz addressed the Commission regarding Yucca Mountain safety concerns, metal-to-metal corrosion, and EPA issues.

Steve Frishman – Advised the Commission that the 25th anniversary of the bill that singled out Yucca Mountain is 12/22/12 and acknowledged the Commission’s dedication and persistence on behalf of the citizens. Chairman Bryan acknowledged Mr. Frishman’s work over the past 30 years as well.

Other issues: Commission members recommended the next meeting occur in the spring of 2013.

Chairman Bryan entertained a motion to adjourn. So motioned, seconded, meeting adjourned.