NEVADA COMMISSION ON NUCLEAR PROJECTS
MONDAY, JUNE 10, 2013; 1:00PM
CLARK COUNTY GOVERNMENT CENTER
COUNTY COMMISSION CHAMBERS, 1ST FLOOR
LAS VEGAS, NV 89155

Commissioners in Attendance:
Senator Richard Bryan, Chairman
Dr. Marie Boutte
County Commissioner Lawrence Brown
Aurelia Roberts
Dr. Lois Tarkanian
Paul Workman

Senator Bryan called the meeting of the Commission on Nuclear Projects to order. The agenda was posted per the open meeting law.

The minutes from the November 29, 2012, Nevada Commission on Nuclear Projects meeting were approved as amended. Motioned by: Lia Roberts. Second by: Dr. Marie Boutte. All in favor.

Senator Bryan tendered the floor to the public if anyone would like to speak on the agenda items. No response was given.

Report from Executive Director Robert Halstead

- Department of Energy - terminated the Yucca Mountain project. Nuclear Regulatory Commission Licensing (NRC) proceeding remains suspended. No further Congressional appropriations for the Yucca Mountain project in the continuing resolution extension.

- National Level: U.S. Senate Committee on Energy and Natural resources considering legislation that would enact the recommendations of the Blue Ribbon Commission on America’s Nuclear Future. (Issued report at the end of January 2012).
  - Discussion draft Nuclear Waste Administration Act of 2013 issued in April and comments accepted through May
  - Commissioners were sent the 1 page summary of the bill
  - Provisions discussed with Senator Reid’s and Senator Heller’s staff
    - Volunteer approach to site selection
    - Provide an interim storage facility of some kind from current operating reactors – no position taken
    - New management organization be an independent government agency
    - Restructure Nuclear Waste Fund - The current funds of $760 million per year would be exempt from the congressional appropriation process. The corpus of the Nuclear Waste Fund, approximately $28 billion plus and the interest of $900 million would continued to be subject to Congressional appropriations.
• Would not impact licensing proceedings currently before the NRC.
  
  o Committee received 3,200 comments from the public.

• State Level: Budget for Agency was approved by both the State Assembly Ways & Means and the Senate Finance committees as part of the overall package, providing the requested level funding for the coming two years. Not known if the licensing proceedings would resume; if so, additional funding will be requested.

• Senator Bryan verified with Director Halstead, that restart of the NRC licensing process would have an impact on the Agency budget and would require a presentation to the IFC at that time.

• Summary of Discussion with Senator Bryan regarding NWAA provisions:
  
  o Nuclear Administration Structure (Federal corporation compared with independent federal agency)
  
  o Consolidated storage facilities (DOE pilot program for shutdown reactors, followed by consolidated storage for reactor fuel until repository available)
  
  o Funding (Compromise between industry desire to remove funding from appropriations process and congressional desire to retain oversight)
  
  o Funding for licensing proceeding if resumed (For any resumption of licensing required by the court, NRC would have carry-over monies enough to continue for about 12 months of licensing. May have more discussions with the committee to discuss the provisions to grandfather in existing licensing with NRC and appropriations prohibit money being spent on Yucca Mountain)

Report from Chief Deputy Attorney General Marta Adams

• Update on the six (6) active legal cases
  
  o Two (2) water cases pending
    ▪ 5th Judicial Court in Tonopah
    ▪ US vs. State of Nevada, Judge Hunt: review of the State Engineers denial of water to construct and operate Yucca Mountain repository
  
  o DC Circuit
    ▪ Challenge of the EPA Standard
    ▪ Challenge of the NRC licensing rule
    ▪ 9th Circuit – DOE Caliente Rail Corridor
    ▪ Current Aiken County case involves: State of Washington and South Carolina, Aiken County, SC, Nye County, NV, and the National Association Regulatory Utility Commissioners.

  • NRC to restart licensing, despite the lack of funding. It is possible the court will order a restart of the NRC licensing proceedings based on the provisions in the Nuclear Waste Policy Act
Nevada National Security Site (NNSS)

- DOE issued final Site-wide Environmental Impact Statement (SWEIS) in February 2013; Record of Decision (ROD) to implement the SWEIS not yet issued. Issues to be resolved include DOE proposal to dispose of waste from Oak Ridge National Laboratory containing Uranium-233 as low level radioactive waste at Area 5, NNSS.
- Report on the Senate Concurrent Resolution2: The Office of the Attorney General, the Nevada Department of Natural Resources and Conservation, and the Agency were directed by the 76th Legislative session to investigate and report to the legislature if Nevada could receive compensation for past environmental damage to the state from activities at NNSS, Hawthorne and Tonopah test range. Provided report to the Legislature but have not heard back.

Affected Units of Local Government and Tribal Representatives

  - Modeling: RADTRAN failed to look at unique local conditions, looking at a quarter million people not counted. State Route 160, primary route for low-level waste preferred route. Intermodal transport to use the 215 Beltway as the preferred route. A major corridor, Phoenix to Las Vegas may have unintentional consequences. Building an I-11 corridor could be in support of activities such as Yucca Mountain.

Comments from the public

- Dr. Jacob Paz
  - Super fund site
  - EPA request methods to develop for cumulative risk assessment. Usually it is published in CFR.
  - Area 5: cumulative effect of large amount of metals. Has been ignored.

- Judy Triechel, Nuclear Waste Task Force:
  - NWTF does not approve of interim storage, they are eager to get more information on transportation.
  - NWTF is in favor of the Uranium 233 to stay in Tennessee.
  - NWTF is in favor of a Waste Classification System.

- Holly Woodward, Citizen of Las Vegas
  - Public Meetings from the DOE to educate the public. City of Las Vegas and Clark County have asked for public meetings.
• Department of Transportation, what is their role? Register as Hazardous Material carriers and over-weight permits provided by NDOT. Very little regulation.

• Sharon McMann, Environment Officer for the City of Las Vegas
  • Asked in writing and were denied by DOE of a public or one-on-one meeting.

**Next Commission meeting:** November time frame.

Chairman Bryan adjourned the meeting. All in favor.