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Thursday, October 16, 2014

**NEVADA AGENCY FOR NUCLEAR PROJECTS STATEMENT ON THE RELEASE
OF SER VOLUME 3**

The Nevada Agency for Nuclear Projects today expressed concern over the U.S. Nuclear Regulatory Commission (NRC) staff's release of a partial report on the U.S. Department of Energy (DOE) application for authorization to construct a nuclear waste repository at Yucca Mountain.

The Safety Evaluation Report (SER) is a five-volume document prepared by NRC staff as part of the NRC licensing proceeding. The full SER is scheduled for completion by January 2015, at which time it would set the stage for trial-like hearings including expert testimony and cross-examination of witnesses. The NRC today released Volume 3 of the SER on repository safety after permanent closure.

“For the NRC staff to publically release just this one volume of the SER outside the proper context of an ongoing licensing proceeding and in the absence of a complete SER is unprecedented,” Agency for Nuclear Projects Executive Director Bob Halstead said. “It creates a false impression that the safety review has been completed. It is difficult to see what reason there could be for such a release except to provide political support and encouragement for Yucca Mountain supporters in Congress and elsewhere.”

The NRC licensing board has admitted more than 200 Nevada contentions challenging the safety and environmental impacts of the proposed repository, and Nevada is prepared to aggressively prosecute these challenges. It is not apparent that the SER specifically addressed these and other safety contentions admitted in the hearing even though both the NRC licensing board and the Commission determined that they presented genuine safety issues and were adequately supported by qualified expert analyses.

DOE has given up on Yucca Mountain because “it is not a workable option” and attempted to withdraw its license application. The NRC proceeding was resumed only because a federal court (by a 2-1 decision) ordered it to go forward. Even the court acknowledged that NRC had inadequate funds to complete the legally-mandated proceeding, with the chief judge writing in dissent that it was “a useless thing” to resume the proceeding.

“Moving beyond the failed Yucca Mountain nuclear waste repository project is essential if the country is ever going to safely dispose of spent nuclear fuel and high-level radioactive waste,” Halstead said. “The country needs new Federal legislation to implement the 2012 recommendations of the Blue Ribbon Commission (BRC) on America’s Nuclear Future. The BRC recommended taking the program out of DOE and using consent-based siting to identify new sites for interim storage and geologic disposal. Moreover, the NRC recently affirmed that dry storage of spent nuclear fuel at existing reactor sites is safe for 120 years or more, so there is no urgent need to move forward with Yucca Mountain. Forcing the NRC to restart the Yucca Mountain licensing process impedes progress towards finding workable solutions by diverting our focus.” Halstead said