



YUCCA MOUNTAIN

Reid: “Repository project is dead”; Project supporters: “Prove it”

FOLLOWING A JANUARY 5 meeting with then President-elect Barack Obama, a confident Sen. Harry Reid (D., Nev.) proclaimed that the Department of Energy’s Yucca Mountain Project is as good as dead.

In a video clip on his Web site (<reid.senate.gov>), Reid said that his meeting with Obama and then Vice President-elect Joe Biden resulted in a discussion of a variety of issues, including the proposed repository at Yucca Mountain, about 100 miles northwest of Las Vegas, Nev. Reid related how Obama supported the move to end the project to open a geologic repository in Nevada for the storage of spent nuclear fuel and high-level radioactive waste. “Without any fluff, without diversion of any kind, Barack Obama said, ‘I campaigned in Nevada about getting rid of Yucca Mountain, and that will happen,’” Reid recalled.

Reid said that Obama visited Nevada 20 times during the presidential campaign and that Obama “knows the risks associated with this project and is aware that the vast majority of Nevadans oppose it.”

Reid, the Senate majority leader, has been the project’s main opponent since Yucca Mountain was selected by Congress in 1987 through the Nuclear Waste Policy Act (NWPA) as the nation’s sole geologic repository for commercial spent nuclear fuel and high-level waste. Reid noted that during his meeting with Obama and Biden, he reminded them that \$100 million in DOE funding for the project was cut from President Bush’s final budget. He then predicted deeper cuts under the new administration. “Next year we will get from President Obama either nothing or almost nothing in the budget for Yucca Mountain,” he said.

The video clip ended with Reid matter-of-factly claiming, “Yucca Mountain is on a breathing machine, it’s gasping for air, the

Only Congress—and not the president—has the authority to kill the Yucca Mountain Project.

air will be cut off in the Obama administration.”

Some wonder, however, if Reid has any bite behind his bark. Sue Lowden, chair of the Nevada Republican Party, was among 60 members of the party’s Central Committee who toured Yucca Mountain on December 12, accompanied by Ward Sproat, the DOE’s head of the repository project. In her December 22 blog, Lowden wrote that the time has come to put Congress to the test on Yucca Mountain.

She said that while members of Nevada’s congressional delegation, led by Reid, have declared the project dead now that Obama has been elected president, the project’s supporters “adamantly dispute that claim.”

At issue, she said, is the NWPA. Because it is an act of Congress, only another congressional act can repeal it. “An incoming president can’t retroactively veto a bill signed into law by a preceding president. So, the odds of killing Yucca Mountain would appear to rest solely on the odds of Congress repealing the NWPA,” she said.

Lowden wondered why Reid over the years has talked about killing the project, has made efforts to reduce funding for the project, has promised to block the nomination of any new energy secretary who wasn’t opposed to the project, and has planned to fill the Nuclear Regulatory Commission with anti-Yucca Mountain commissioners. Yet, she continued, “what we haven’t heard is Sen. Reid’s plan to introduce, pass, and have President Obama sign a bill to repeal the NWPA. Why not?”

The probable reason, she said, is the one offered by Sproat while on the Yucca Mountain tour: “There’s political rhetoric and

there’s political reality.” The reality, she said, is that there are 39 states with nuclear waste currently piling up in their backyards, and then there is Nevada. That is 78 senators on one side and Nevada’s two senators on the other. “You do the math,” Lowden said.

Lowden also wrote that in June 2007, Rep. Jon Porter (R., Nev.) offered a House amendment to zero out the project’s funding. Porter’s amendment was defeated overwhelmingly, 351 to 80. “Indeed, it certainly appears there is no appetite whatsoever in Congress to actually kill this project,” she said. “If true, Nevada’s citizens could find themselves not only getting the repository, but getting it without the safety controls and financial benefits we might be able to negotiate for if we would only come to the table.”

In this regard, a Yucca-friendly Nevada would open the door to allowing the state’s governor, Jim Gibbons, to appoint a negotiator to begin talks with the DOE to protect Nevada’s interests and ensure that the state is adequately compensated for providing the repository service to the nation. The NWPA empowers the governor to appoint the negotiator, according to Lowden.

Lowden said it was time to call Reid’s bluff by urging him to immediately propose repealing the NWPA. As the Senate’s majority leader, he has the power to place the vote at the head of the calendar once Congress reconvenes after Obama’s inauguration. “And,” she said, “as the second most powerful Democrat in the country—with a Democrat in the White House, Democrat control of the U.S. Senate, and Democrat control of the U.S. House of Representatives—if such a repeal is unsuccessful, what will that tell us?”