



# NYE COUNTY NWRPO

## If Not YM – What Else

HOW WE GOT HERE

WHAT DID WE DO WRONG

WHERE WILL WE GO

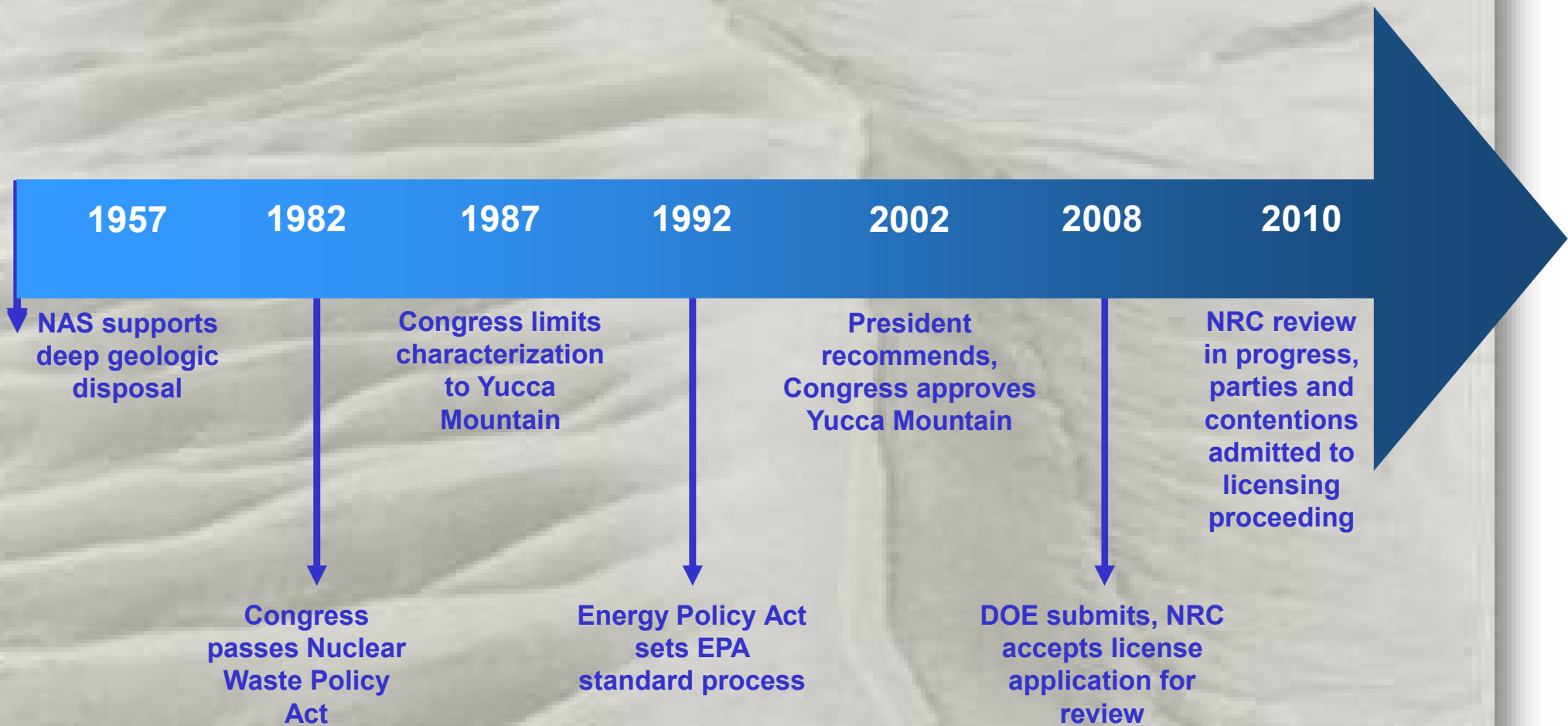
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# The Timeline





# Early Nye County Involvement

- The National Waste Terminal Storage Program looked at the Nevada Test Site in its search for repository sites in the late 1970s
  - Nye County became a potential host to a site when DOE began to look at volcanic tuffs in addition to granite, shale and salt
  - Yucca Mountains' thick unsaturated zone qualified it as a potentially good site for a repository
  - Concerns about conflicts with weapons testing focused studies on the western portion of the NTS (Area 25)
  - There were no real opportunities for local government involvement
- The Nuclear Waste Policy Act of 1982 (NWPA) contained provisions for involvement and funding for affected states but not units of local government
- From 1983 to 1986, DOE prepared Environmental Assessments for the nine sites in the "first repository program"
  - Yucca Mountain was one of three sites approved for site characterization in 1986



# Amendment of the NWPA

- On amendment of the NWPA in 1987, Yucca Mountain became the sole site under consideration for disposal of the nation's high-level radioactive waste and spent nuclear fuel
- The abandonment of the carefully crafted compromise in the NWPA that no one state would have to take all of the waste helped to generate opposition – the Screw Nevada Bill
- As the site county for Yucca Mountain, Nye county is unarguably the entity envisioned in the NWPA to receive oversight funding, which was intended to support oversight activities and independent scientific investigations



# Nye County and the NWPA

- Local government oversight authority was specifically granted by Congress under Sec. 116 of the NWPA, as amended in 1987.
  - Nevada failed in its attempt to create Bullfrog County, with Carson City as its county seat and no residents, in an effort to capture the oversight funding and payments equal to taxes
  - DOE elected to include the nine counties contiguous to Nye, in oversight authority and funding
- Sec. 117(d) of the NWPA authorizes Nye to have an On-Site Representative to conduct on-site oversight activities at the Yucca Mountain site itself, as well as the DOE offices in Las Vegas.
- The contribution of this on-site representation program, coupled with the County's other oversight activities and its Independent Scientific Investigations Program, has been repeatedly recognized as important by DOE, the NRC, the Nuclear Waste Technical Review Board, and others.



# NYE COUNTY NWRPO

- The Nye County Board of Commissioners established the Nuclear Waste Repository Project Office in 1989 as Nye County's staff agency to ensure
  - Actions regarding nuclear waste activities were and are conducted to protect the health, welfare, and economic well-being of its residents and environment, and
  - That possible impacts of the repository, if it is licensed for construction, are planned for and mitigated.
- The NWRPO has provided oversight of repository policy, environmental, and socioeconomic issues as well as DOE's scientific work and site characterization.
- The NWRPO has also worked in the transportation and licensing arenas to protect Nye County's interests and attempt to influence the process to maximize benefits / minimize adverse impacts.



# NYE COUNTY NWRPO

- Nye County has played a unique role in the Yucca Mountain repository program.
  - The Oversight Program has attempted to provide constructive input into the repository development process
  - The Nye County Independent Scientific Investigation Program has performed extensive geologic, geotechnical and hydrologic studies. The saturated zone work by Nye County provided data used in the design and licensing stages.
- When Yucca Mountain was designated as the nation's repository site in 2002, Nye County resolved to be “actively, constructively and energetically” engaged in the process.
- Nye County was designated a cooperating agency in the preparation of the Supplemental FEIS submitted to the NRC in 2008





# Nye County and the NWPA

- Nye County has accepted the fact that it has limited influence in the decision making process and politics concerning Yucca Mountain
- Nye County is not an advocate for or against Yucca Mountain. It has yet to take a position in favor of the repository at Yucca Mountain.
- Nye County has taken advantage of opportunities allowed by the NWPA to actively pursue its oversight role.
- Nye County has identified numerous benefits that could accrue to the County and to the State should the State be willing to negotiate.
- As evidenced by the results of its Independent Scientific Investigations Program, and by its LA contentions, the County believes that the repository could be developed and operated safely
- In a very real sense, this may be the closest the United States will ever come to a community willing to accept a facility for high level waste disposal.



# TRANSPORTATION

- The 2006 National Academies of Science report “Going the Distance” concluded that there are “...no fundamental technical barriers to the safe transport of spent nuclear fuel and high-level radioactive waste in the United States.”
- The current repository design is based on rail shipment for over 90% of the spent fuel and high level waste.
- The Nevada rail plan, as it currently exists, is a sub-optimal, politically expedient, path of least resistance plan that should be readdressed.
  - The total transportation system to support the repository program should be optimized from logistical and economic, rather than political perspectives.
  - A through-going rail system, accessing Yucca Mountain from both the north and south, would maximize national transportation options and the flexibility of the Class 1 railroads on the major northern and southern, east to west rail routes. It would also allow all SNF and HLW to avoid Las Vegas and provide two routes into the repository to help with seasonal weather issues and eliminate a single point of failure.
  - If the nation is going to expend more than a billion dollars for rail, it ought to enhance the nation’s overall system as opposed to being “single purpose.”



# SOCIOECONOMIC IMPACTS & MITIGATION

- From a Socioeconomic impact perspective, Nevada's opposition to Yucca Mountain is difficult to understand.
  - Opportunities abound if Nevada negotiates to get the best deal it could on Yucca Mountain?
  - The potential benefits include more than money. Just like WIPP, the federal government should offer something in return for building the repository so the state could see it as an economic benefit.
  - Southern Nevada needs more water. Perhaps it's time for the federal government to offer more Colorado River water in exchange for Nevadans' acceptance of the nation's spent nuclear fuel..
  - Nye County has identified road and rail improvements, specifically a through going rail road and additional road connections, which would provide significant economic development opportunities throughout the state.
  - Nevada's continued political opposition may well preclude Nevada's (Nye's) participation in the "Nuclear Renaissance," particularly interim storage and recycling.



# SOCIOECONOMIC IMPACTS & MITIGATION (con't)

- State agencies, the congressional delegation, and others have refused to negotiate. Any change in state policy would seem to be linked to a fundamental change in perception of the real risks and potential benefits of hosting a repository.
- Claims against the federal government for not receiving waste could reach \$12.3 Billion by 2020, plus \$500 Million/year thereafter.
- These are “general revenue” tax dollars, not Nuclear Waste Fund dollars
- Yucca Mountain would bring up to 2000 direct jobs to Nye County (2500 jobs to southern Nevada) during construction (20 - 25 years) and 400+ direct jobs to Nye County (1,300 to southern Nevada) during operation (50 years).



# THE LICENSING PROCESS

Nye County submitted seven contentions to the NRC for the Yucca Mountain licensing proceeding, of which six were admitted.

## SAFETY

Upper Natural Barrier (UNB) Flow modeling

Lower Natural Barrier (LNB) flow modeling

Site Scale Saturated Zone Flow Model

Air Quality During Operations

## JOINT SAFETY

National Incident Monitoring System

(not admitted)

Aircraft Over Flights

National Environmental Policy Act (NEPA)

Water quality off site

# The Licensing Process (Cont)

- Nye County considers the project to be technically feasible and with the changes outlined in its contentions, safe for the citizens of Nye County and Nevada.
- Nye County would like DOE to perform additional work to develop baseline conditions and a more complete performance confirmation plan
  - The development of this baseline data and longer term studies in the performance confirmation phase may enable the use of less conservative data to reflect the low risk associated with this project.

# Nye's Perspective on the Future of Yucca Mountain

- The NWPA must be revised or rescinded to totally “kill” the Yucca Mountain Repository; however, the lack of funding has caused tremendous problems if something causes a change of heart.
- Pulling the plug on Yucca Mountain has far reaching consequences
  - Yucca Mountain is a key factor in a much larger “house of cards”
    - Waste confidence/existing licenses
    - New nuclear plants
    - Naval/defense waste
    - EM site clean up / Contracts with Idaho, Washington State, etc.
- Nye is watching how the 39 states with waste react as the current realities unfold
- Nye is planning for the project shut down – Looking at the “what ifs”
- Loss of oversight funds and PETT payments are significant
- Nye needs continued authority to monitor DOE activities if Yucca Mountain is shut down

# What Went Wrong

- DID IT TAKE TOO LONG?
- WRONG AGENCY AND / OR STRUCTURE?
- FAILURE TO DEAL WITH THE PR AND POLITICAL ASPECTS OF THE PROJECT
- ANNUAL APPROPRIATIONS AND CHANGES IN DIRECTION EVERY 4 YEARS



# Questions

