

**PANEL SESSION 14 - The Future of the US DOE Yucca Mountain Site  
and Discussion of the Alternatives**

**Co-Chairs:** Eric Knox, *URS Corporation*;  
Paul Dickman, *Argonne National Laboratory*  
**Reporter:** Bob Edmonds, *AREVA Federal Services*

The session featured four panelists who are recognized experts in radioactive waste management and/or who represent constituencies impacted by the DOE's decision to withdraw the NRC License Application for Yucca Mountain and terminate the project. Each speaker gave a brief overview of the impact the DOE decision has, or may have, on their constituency, as well as their personal views on the ongoing court and legislative challenges to the DOE decision. The Co-Chairs, Paul Dickman of Argonne National Lab, and Eric Knox of URS Corp, both of whom worked on the Yucca Mountain program at DOE, gave their insights and views as well.

Panelists Included:

- Rod McCullum, *Director of Nuclear Programs, Nuclear Energy Institute (NEI)*
- Barry Hartman, *Attorney, K&L Gates Law Firm*
- Ed Davis, *President of Pegasus Group, former Executive Director on American Nuclear Energy Council (ANEC)*
- Darrell Lacy, *Nye County Nevada (host county for Yucca Mountain Project)*

**Rod McCullum** of NEI, discussed lessons learned points on our long and expensive national repository saga. Rod had several very good slides showing the timeline, the spending, and the OCRWM personnel changes over the life of the project, as well as his views on lessons we have learned along the way. He commented that the Public Participation and Regulatory process has worked well and we shouldn't throw away what took so long to develop.

**Barry Hartman**, lead attorney representing the individuals suing the Administration over the decision to halt Yucca Mountain, gave a summary of the legal cases and the schedule going forward.

**Ed Davis**, President of Pegasus Group, laid out his assessment of the implications of the decision to halt Yucca Mountain, including Waste Confidence. He also laid out the congressional actions likely to proceed from here.

**Darrell Lacy**, of Nye County Nevada, discussed the impacts on the host community of halting the funding for the project, including the payments to the host community as specified by the Nuclear Waste Policy Act. He noted that Nye and six other counties surrounding the site are in favor of the project as long as it can be shown to protect public safety and the environment

There were 124 people in the audience. Sample questions:

1. One Questioner asked if the panel believed DOE would have the energy and enthusiasm to support License Defense if forced by the court to do so. Mr. Hartman said they had to, or the Secretary could be held in contempt. The same person asked how the process

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could go forward if DOE could not reconstitute the team. The answer given by Mr. Dickman and Mr. Knox, both of whom were in the OCRWM program in the past, was that it could proceed under a FedCorp, or a career DOE official could be put in charge of a newly organized program.

2. Several questions dealt with the specific items in the court case.
3. Several questions dealt with the NRC actions to withhold release of the SER.
4. A question from someone who works for NRC wanted to know if DOE or someone opposed to Yucca was invited to be on the panel.

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