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IG report criticizes NRC chairman over Yucca Mountain decision process

By Amy Harder | *National Journal* | June 10, 2011

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The chairman of the [Nuclear Regulatory Commission](#) made unilateral decisions to shut down Yucca Mountain and didn't fully inform the other commissioners about his actions, [according to a critical report](#) released on Friday by the commission's inspector general.

NRC Chair Gregory Jaczko "was not forthcoming with the other Commissioners about his intent to stop work" on the Yucca Mountain repository application, the report says. Jaczko stopped work on key parts of the application as they were nearing completion at the end of fiscal 2010, according to the IG.

"The chairman anticipated that proceeding to close out in this manner could be controversial and viewed as a policy decision for full Commission consideration. Therefore... he strategically provided three of the four other Commissioners with varying amounts of information about his intention to proceed to closure," the report says.

The report was released on Friday by the House Energy and Commerce Committee. NRC Inspector General Hubert Bell will testify on Tuesday to the Environment and Economy Subcommittee on his report, which was completed and sent to members of Congress and the commission on Monday.

The report did not find that Jaczko acted illegally, which the chairman preemptively pointed out in a statement on Wednesday.

"The conclusions of the report reaffirm that my actions have been and remain consistent with established law, guidance, and my authorities as Chairman," Jaczko said in the statement. He also anticipated the report's critical findings that he did not adequately communicate with his fellow commissioners. "The closeout of the Yucca Mountain license review has been a complicated issue, with dedicated and experienced people holding different viewpoints. All NRC Chairmen have the responsibility to make difficult and sometimes controversial decisions," he said.

The report will likely inflame already fired-up Republicans and Democrats who are upset that President Obama shuttered the project as he vowed to do on the campaign trail in 2008.

Jaczko will testify to the Senate Environment and Public Works Committee on Thursday regarding his commission's 60-day report on the Japanese nuclear disaster. But questions about the IG's report will surely arise as well. He is not expected to testify at the Tuesday House hearing.

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Committee rejects \$200M Yucca proposal

By Humberto Sanchez | *CongressDaily* | July 23, 2010

The Senate Appropriations Committee approved three more fiscal 2011 spending bills Thursday, including the \$34.97 billion Energy and Water Appropriations measure after rejecting an amendment from Sen. Patty Murray, D-Wash., that would continue funding for Nevada's Yucca Mountain planned nuclear waste repository.

The bills, which also include the \$67.9 billion Transportation-HUD and \$60.1 billion Commerce-Justice-Science measures, were approved en bloc on a party-line 17-12 vote.

Republican appropriators have opposed spending bills since last week's committee decision not to consider their proposal to cap fiscal 2011 discretionary funding at \$1.108 trillion, less than the \$1.121 trillion Democrats had proposed.

The committee instead agreed to a \$1.114 trillion discretionary spending limit, also on a party-line vote. To date, the panel has approved six of the 12 annual spending bills.

Murray's amendment to the Energy and Water bill would have provided \$200 million to continue the licensing for the Yucca Mountain project.

The proposal put her at odds with Senate Majority Leader Harry Reid, D-Nev., and President Obama, both of whom have pushed to close the Yucca site. Obama's fiscal 2011 budget provided no funding for the project and neither does the Senate bill.

Last month, the three administrative judges of the Atomic Safety and Licensing Board denied the [Energy Department's](#) motion to withdraw the license application of the Nevada site, saying no evidence has been presented that the application is flawed or the site unsafe.




"We've spent over \$10 billion on Yucca Mountain, and we know the courts will decide how this moves forward, but in the meantime I believe we should continue funding this important program," Murray said.

Yucca Mountain has also become a campaign issue for Murray, who is in a tough re-election battle against Republican Dino Rossi. Earlier this week, Rossi accused her of not being aggressive enough to keep the repository project going.

Washington State has the Energy Department's 586-square-mile Hanford Site, home to nine former nuclear reactors and their associated processing facilities that were built beginning in 1943. The site's works have generated billions of gallons of liquid waste and millions of tons of solid waste which must now be cleaned up, removed or remediated.

"Without a national repository Hanford and other nuclear waste sites will be left in limbo," Murray said.

Murray's amendment was defeated 13-16, with all Republicans supporting the amendment except for Senate Energy and Water

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Appropriations Subcommittee ranking member Bob Bennett, R-Utah. Along with Murray, Sen. Mary Landrieu, D-La., were the only two Democrats to vote for the amendment.

Energy and Water Appropriations Subcommittee Chairman Byron Dorgan, D-N.D., opposed the Murray amendment and argued that the \$200 million would do nothing to "restart" the project. He said the committee should wait for the deliberations of the federal blue-ribbon panel that will develop recommendations for managing the nation's nuclear waste.

Bennett agreed, and observed that all current U.S. nuclear waste would fill up the Yucca Mountain repository, so a new plan would have to be developed whether the project is funded or not.

The \$34.97 billion Energy and Water spending bill is \$376.3 million below the president's budget request and \$1.503 billion above the fiscal 2010 level. The Senate bill would provide slightly more than the \$34.67 billion House measure.

The committee also approved the Transportation-HUD and Commerce-Justice-Science bills, without major changes to the measures approved by the subcommittees.

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Energy chief: Don't 'linger' over Yucca decision

By Christopher Snow Hopkins | *National Journal* | April 7, 2010

Energy Secretary Steven Chu pledged Tuesday to proceed with the termination of the Yucca Mountain nuclear waste repository despite mounting resistance in Congress.

"We believe we do have the legal authority to do this," Chu said following his keynote address at a conference held by the Energy Information Administration and the Johns Hopkins School of Advanced International Studies. "There are members of Congress who don't, so we've agreed to have our lawyers get together with their lawyers to hash that out."

Earlier this year, Chu appointed a commission to explore alternatives to the Yucca Mountain facility. He has insisted that the commission's mandate is to reconsider all aspects of the "back-end fuel question," not just relocate the waste repository elsewhere. But some lawmakers are wary of the decision because states might not approve new power plants without a permanent solution to waste storage.

Chu reiterated Tuesday morning that his plans to abort the Yucca Mountain facility will not be derailed by congressional resistance.

"We are taking steps to end [Yucca Mountain] because... we see no point in it. It's spending a lot of money," he said. "It's very important that we not linger around this decision. It's been made, and we want to go forward and move into the future."

When asked about a price on carbon, Chu conceded that the Obama administration must take the state of the economy into account as they chart a way forward on energy. "I think one has to be very, very careful about putting this price on while we're still in a deep recession," he said.

But the instability of the economy should not be exaggerated, he added. "Look, the signs are very good, the GDP in the last two quarters has increased for the first time, the unemployment figures have stabilized and are beginning to come back," Chu said. "We have to make sure that the unemployment figures go down over the next coming quarters. That's the most important thing and what the administration's focused on."




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