

UNITED STATES SENATOR JOHN ENSIGN  
SUBMITTED STATEMENT BEFORE SURFACE TRANSPORTATION BOARD

LAS VEGAS, NV

December 4, 2008

Mr. Chairman:

I would like to thank you for the opportunity to speak today on behalf of the people of Nevada concerning the construction of a rail line to Yucca Mountain.

I would like to be clear: Yucca Mountain is not an issue that affects just the residents of Nevada; it is an issue that affects every American. I am here today to explain that the plan to store spent nuclear fuel at Yucca Mountain is not a solution. The storage of spent nuclear fuel at Yucca Mountain is a plan plagued by unrealistic assumptions about cost, poor waste management planning, and insufficient scientific testing to ensure the safety of our communities. I believe that we can do better.

I have bad news for those of you with working nuclear reactors in your states who think that the opening of Yucca will rid your state of nuclear waste – you're wrong. You see, even if it were possible to immediately and magically remove all of the existing spent fuel from commercial nuclear power plant locations, there would still continue to be spent fuel stored at each and every operating reactor in the country. That's because nuclear waste is highly radioactive and thermally hot and must be kept at the reactor sites in water-filled cooling pools for at least five years. The only way spent fuel storage can be eliminated from a reactor location is to shut down the reactor. And that isn't an option.

Let's also consider the long-range cost of Yucca Mountain. The most recent estimates of the cost of Yucca Mountain are nearing \$100 billion dollars – and I am certain it will go higher. What do we get for our money? The same problem we have today. We will have 65,000 metric tons of commercial nuclear waste by the time Yucca Mountain is scheduled to open. We produce 2,000 metric tons of nuclear waste a year. The DOE plans to transport 3,000 metric tons a year. Just do the math. We won't get rid of the nuclear waste backlog for nearly a century and Yucca Mountain will be filled long before then.

And under the Department of Energy's plan, there is no requirement for the oldest and most thermally cool spent fuel to be shipped first. Without this sort of requirement, nuclear facilities will have the incentive to ship out more recently spent fuel that is hotter and more dangerous to transport. Unfortunately, this is just another hole in DOE's plan for Yucca Mountain.

The NRC hasn't even conducted full-scale physical tests on actual spent fuel casks. I wouldn't put my children in a car that hadn't been crash tested, but I'm supposed to put them on a highway next to a truck with casks of nuclear waste that haven't been adequately tested. In fact, experts from the National Research Council have examined this issue and strongly endorse the use of full-scale testing to determine how packages will respond to real-world conditions.

**These casks are going to be traveling by homes, schools, and churches. And at this time we can't be sure they will survive real-world conditions. For example, the casks have not been tested in fully engulfing long-duration fires. The testing is for 30 minutes at 1475 degrees Fahrenheit. The temperature in the Baltimore tunnel fire reached 1500 degrees Fahrenheit, and the fire burned for hours.**

**It doesn't seem to me that the proponents of the Yucca Mountain have done enough to prove that the plan is safe, and the entire Nevada delegation has concerns. To address this, the Nevada Congressional delegation recently sent a letter to the Surface Transportation Board outlining our concerns regarding the construction and operation of a rail line from eastern Nevada to the proposed nuclear waste repository at Yucca Mountain.**

**So if Yucca Mountain isn't the answer, what is?**

**We should keep that waste right where it is, safely stored for the time being. The federal government should offer to take title and liability to the waste stored on site, just as it did in Pennsylvania under the PECO settlement. The NRC has stated fuel can be stored safely on site for at least 100 years in dry cask storage. That leaves plenty of time to continue to develop new technologies at our National Labs to recycle the waste without producing weapons-grade plutonium as a byproduct.**

**I believe that we need to do what this country does best: innovate and lead the world in cutting edge technologies. Unfortunately, with Yucca Mountain, we have been way behind the curve on how we manage our spent nuclear fuel. For instance, the French store their spent fuel byproducts in above-ground repositories – this model seems to make more sense for a country as large as ours. It seems to me that we should be using \$100 billion in Yucca funding to develop new recycling technologies and make a dent in the challenge of managing spent fuel.**

**And managing spent nuclear fuel is a serious challenge we face. As a legislator, I need to be fully informed about the effects of legislation on my constituents before I vote. I know that Yucca Mountain will be bad for both the people of Nevada and the United States. It comes down to this: you are being asked to risk the health and safety of your constituents for a scheme that will leave this country looking for another nuclear waste storage site 24 years after Yucca Mountain opens. It's just not worth it.**