



# EYE ON ENERGY

A Monthly Newsletter from the Public Citizen Energy Team

News Update: February 2004

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## **Energy Bill Still in Gridlock**

The status of the omnibus energy bill remains uncertain. Sen. Pete Domenici (R-N.M.), Sen. Bill Frist (R-Tenn.), and the energy bill's other supporters are plotting ways to pass the legislation, in full or in part. One strategy that proponents of energy legislation have floated is using the multibillion-dollar highway funding bill as a possible vehicle for forcing through this atrocious legislation. In an attempt to make the energy bill more palatable, Sen. Domenici announced he is willing to remove the MTBE liability waiver, which gives legal protection to petrochemical companies -- perhaps the most controversial measure in the bill. While the waiver is certainly one of the most egregious provisions, its removal in no way negates the pro-industry, anti-consumer, anti-environment provisions in the rest of the bill. Send your senators a fax urging them to reject the energy bill in any form: <http://www.stopenergybill.org>

## **Green Hydrogen Coalition Brings Together Prominent Environmental Groups**

Public Citizen has teamed up with eight other prominent environmental organizations—Greenpeace, Friends of the Earth,

Sierra Club, US PIRG, MoveOn.org, the Foundation on Economic Trends, League of Conservation Voters, and the Global Resource Action Center for the Environment—to form the Green Hydrogen Coalition (GHC). The GHC is dedicated to promoting clean, renewable sources to fuel the emerging hydrogen economy.

While it is the most abundant element in the universe, hydrogen rarely occurs in its natural form on Earth. It must be extracted from water, natural gas, or other sources, and that process consumes as much energy as can eventually be reaped from the hydrogen. For that reason, hydrogen is only a clean fuel if it is created with clean sources.

The Bush administration has dedicated itself to promoting dirty coal, natural gas, and especially nuclear power as the energy sources of choice for generating the power needed to extract pure hydrogen. The currently stalled energy bill featured a subsidy of \$1.1 billion to construct an experimental hydrogen cogeneration reactor in Idaho, and the nuclear industry is betting its revival on hydrogen.

The GHC is in the process of designing a website and will soon begin assembling a network of groups dedicated to the GHC's

mission statement. The GHC's internet home is [www.greenhydrogencoalition.org](http://www.greenhydrogencoalition.org)

## **DID YOU KNOW...? The Power of the Public Utility Holding Company Act**

*Pre-PUHCA, from 1929 to 1932, just 3 utility systems produced 44.5% of U.S. electricity. (PUHCA repeal is NOT the road to electric supply competition!).*

*This resulted in excessive service charges by affiliates, excessive common stock dividends to parents and upstream loans, among other corporate abuses, and of course, high electric rates.*

## **Eye on Yucca Mountain**

On Jan. 14, the U.S. Court of Appeals for the District of Columbia heard oral arguments on the lawsuits against the Yucca Mountain project. The lawsuits were brought by public interest and environmental groups and the State of Nevada against the Environmental Protection Agency (EPA), and by the State of Nevada against the DOE, NRC and U.S. government. The judges were particularly interested in the case against the EPA, which charges that the EPA's radiation release standards are not consistent with the

recommendations of the National Academy of Sciences as ordered by Congress in the 1992 Energy Policy Act. The primary inconsistency is whether the regulatory period includes the time of the expected peak dose from the dump. The court's decisions are expected this spring.

The DOE has been working since September 2001 on answering 293 scientific questions, or key technical issues, centered on Yucca Mountain's ability to keep radiation from contaminating the surrounding environment. In a Dec. 23, 2003 letter, the NRC informed DOE that they cannot evaluate the answers to questions that DOE has already submitted, because DOE has not supplied all the necessary technical documents. The letter lists about 50 documents it still needs from the DOE to move ahead with its review of water movement in the mountain and possible volcanic activity.

#### ***Yucca Oversight Board Chair Resigns***

Nuclear Waste Technical Review Board Chairman Michael Corradini resigned on Dec. 30, 2003, over bias allegations that have dogged him since before he was appointed in June 2002.

The NWTRB has been a respectable source of unbiased oversight of the Yucca Mountain project since its creation in 1987. But with three current vacancies and several more members' terms expiring this May, President Bush may soon be presented with

an opportunity to revamp the Board with a pro-Yucca tilt.

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#### ***QUICK QUOTE:***

"Ten thousand years is incorrect."

#### **Judge Harry T. Edwards**

***Jan. 14, 2004***

*told a lawyer from the Justice Department, saying the environmental agency had not obeyed instructions by Congress to follow the academy's advice in setting standards for Yucca Mountain.*

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#### ***Health Risks for Yucca Mountain Workers***

The U.S. Department of Energy (DOE) last month announced a voluntary screening program for workers at the Yucca Mountain site in Nevada who may have been exposed to unsafe amounts of airborne silica while working underground between 1992 and 2000.

Exposure to airborne silica can lead to a potentially fatal lung disease called silicosis. On Jan. 29, Sen. Harry Reid (D-Nev.) sent a letter to Energy Secretary Spencer Abraham questioning why, if "DOE recognized the risk posed to workers at Yucca Mountain from silica [it] failed to take sufficient measures to protect them." The full letter can be read at <http://reid.senate.gov/record2.cfm?id=217582>.

#### ***Opposition Strengthening Against Grand Gulf Site Permit***

In mid-January, Public Citizen and the Nuclear Information and Resource Service traveled to western Mississippi and met with local organizers and state groups to begin work to derail the Entergy Corp.'s attempt to secure an early site permit for the construction of up to three new reactors at the Grand Gulf reactor site, near Port Gibson. The planned site is already home to the huge Grand Gulf 1 reactor (one of the largest boiling water reactors, at 1207 megawatts). Should the NRC approve the early site permit, Entergy could "bank" the site for construction of new plants at any point in the next 20 years. Even after major subsidization from the DOE, the costs of applying for such a permit run into the millions; therefore, such an application is a strong indicator of Entergy's plans to construct.

During their trip, Public Citizen and NIRS also met with representatives of the Mississippi Sierra Club, Concerned Citizens of Gulfport, Mississippi Center for Justice, and Advocates for Environmental Human Rights as well as local representatives of the NAACP to discuss environmental justice issues.

**Corporate Corner**

**\$70,000,000:**

What the energy industry has contributed to the campaigns of federal politicians since 2001.