

ALLIANCE FOR NUCLEAR ACCOUNTABILITY • CITIZEN ALERT • FRIENDS OF THE EARTH •
NATURAL RESOURCES DEFENSE COUNCIL • NEVADA DESERT EXPERIENCE •
NEVADA NUCLEAR WASTE TASK FORCE • NUCLEAR INFORMATION AND RESOURCE SERVICE •
PHYSICIANS FOR SOCIAL RESPONSIBILITY • PUBLIC CITIZEN •
U.S. PUBLIC INTEREST RESEARCH GROUP • SIERRA CLUB

February 26, 2004

Re: Proposed Yucca Mountain high-level waste repository

Dear Member of Congress:

As national environmental and consumer organizations, ***we are writing to urge you to oppose the Bush Administration's proposed FY05 budget for the Yucca Mountain project, as well as its proposal to take part of the project's funding off-budget.*** The following issues, along with the numerous other problems surrounding the repository, strongly indicate the need for Congress to exercise very stringent oversight on the project and its runaway budget.

- 1. Administration requests an unwarranted 50% increase in Yucca Mountain budget.** President Bush's FY05 budget proposes to increase funding for the Yucca Mountain nuclear waste repository to \$880 million, a 50% increase from FY04. Given that the federal deficit is projected to exceed \$500 billion for FY05, it is even more irresponsible for Congress to enact such a large increase in the Yucca Mountain budget. The Department of Energy (DOE) claims that the additional funding allows DOE "to meet the Nuclear Regulatory Commission's (NRC) licensing criteria specifications."¹ However, most of the additional funds are allocated to developing a transportation system for shipments to the repository and for developing onsite infrastructure. The Administration proposes to increase the transportation budget by an enormous 193% from FY04, with over 73% allocated for the purchase of truck and rail casks and other equipment for waste shipments to begin in 2010 (a total of \$137 million). Yet, neither the mode of transport (truck versus rail) nor the transport routes have been determined. More than \$97 million – a 211% increase from FY04 – is allocated for onsite construction activities, such as relocating or constructing onsite facilities that do not require NRC approval, building a new heavy-duty access road, and installing fiber optic technologies. Investing in permanent facilities and equipment at the site does not make sense before the NRC has actually determined whether the repository will be licensed.

The President also proposes to take the fees collected from nuclear power utility consumers for the Nuclear Waste Fund off-budget. The Fund was set up to pay for the establishment of a national repository for high-level nuclear waste. By allowing the fees to go directly to the DOE, Congressional oversight of how the Fund is used will be limited. ***Given the serious fundamental questions that remain regarding the suitability of the site to safely and permanently isolate high-level radioactive waste, maintaining Congressional oversight of how the Nuclear Waste Fund is spent is critical.***

¹ "Secretary Abraham Unveils DOE '05 Budget." *DOE News*. February 2, 2004.

- 2. Whistleblowers expose poor health and safety practices at Yucca Mountain.** Several former employees at Yucca Mountain claim that they were afflicted with the chronic lung disease silicosis caused by exposure to airborne silica while they were drilling the exploratory tunnel at the site. In a February 17, 2004 letter to Senator Harry Reid (D-NV), DOE admitted that they “were aware of the potential for the silica to become airborne during mining operations, which commenced in 1992, and tunnel boring operations, which started in 1994.” Yet adequate safety measures were not taken until at least 1996, when respirator protections were improved and enforced. In October 2002, a former industrial hygienist with the construction company that built the tunnel testified that a supervisor ordered her to falsify her data on the toxic dust level so that they were recorded as lower than they actually were.

DOE does not know how many workers have contracted silicosis from exposure to silica at Yucca Mountain. The approximately 1,200 to 1,500 people involved in building the tunnel can be tested through the voluntary Silicosis Screening Program being conducted by the University of Cincinnati. To date, at least 3 people have been diagnosed with the disease, one of whom has died from it. ***Congress should call for a federal investigation into the safety practices at Yucca Mountain and request that the tunnel and other portions of the work area be sealed off until it can be determined that it is safe for workers.***

- 3. Former member of the Nuclear Waste Technical Review Board is outspoken about problems with repository design.** On January 15, 2004, Dr. Paul Craig resigned as a member of the congressionally established Nuclear Waste Technical Review Board (NWTRB), so that he could speak more freely about the waste dump’s dangers. In a speech in Reno last week, Dr. Craig, a physicist and engineering professor at the University of California – Davis, stressed that the repository design proposed by DOE will cause the metal canisters holding the irradiated fuel to corrode and leak nuclear waste. At the high temperatures that are planned for the repository, the salts from the surrounding soil when deposited as dust on the surface of the containers will draw moisture from the air and lead to the corrosion of the metal. Dr. Craig said that the DOE will have to admit the failure of its current design and re-design the repository, leading to a delay of several years. The NWTRB sent a report informing DOE of its unanimous conclusions about the repository design on November 25, 2003, and has yet to receive a response. ***Congress should investigate DOE’s response to the Board’s report on this issue and require that the issue be fully addressed before the design process proceeds further.***

The U.S. Court of Appeals for the District of Columbia is expected to release its decisions on pending lawsuits brought by environmental and consumer groups and by the State of Nevada this spring. The decisions could potentially force a significant reassessment of the Yucca Mountain project that would necessarily take years, and perhaps even permanently derail it. ***We urge you to oppose any increase for the Yucca Mountain project FY05 budget, as well as the proposal to take part of the project’s funding off-budget.*** Please contact Michele Boyd with Public Citizen at (202) 454-5134 or Kevin Kamps with NIRS at (202) 328-0002 ext. 14 if you have any questions.

Sincerely,

Susan Gordon
Director
Alliance for Nuclear Accountability

Peggy Maze Johnson
Executive Director
Citizen Alert

Erich Pica
Director, Economics Campaign
Friends of the Earth

Karen Wayland
Legislative Director
Natural Resources Defense Council

Paul Colbert
Program Director
Nevada Desert Experience

Judy Treichel
Executive Director
Nevada Nuclear Waste Task Force

Michael Mariotte
Executive Director
Nuclear Information and Resource Service

Jaya Tiwari
Research Director
Physicians for Social Responsibility

Wenonah Hauter
Director, Energy Program
Public Citizen

Anna Aurilio
Legislative Director
U.S. Public Interest Research Group

Daniel Becker
Director, Global Warming and Energy Program
Sierra Club