

**ALLIANCE FOR NUCLEAR ACCOUNTABILITY * CLEAN WATER ACTION
FRIENDS OF THE EARTH * NUCLEAR INFORMATION & RESOURCE SERVICE
PUBLIC CITIZEN * SIERRA CLUB * U.S. PUBLIC INTEREST RESEARCH GROUP
WOMEN'S ACTION FOR NEW DIRECTIONS**

June 26, 2003

Re: FY2004 Yucca Mountain Appropriations

Dear Chairman Hobson and Ranking Member Visclosky:

On behalf of the undersigned national environmental, public interest, and public health organizations we are writing to express our grave concern about the Department of Energy's fiscal year 2004 budget request for the controversial Yucca Mountain nuclear waste repository project. As your subcommittee continues work on the Energy and Water Appropriations bill, we recommend that you eliminate funding for this dubious program pending the outcome of various legal challenges. At the very least, in light of projected budget deficits and competing priorities, we urge you to refrain from fully funding the Department of Energy's excessive request for this program in FY2004.

None of our longstanding concerns about the Yucca Mountain project have been resolved, although the Congress last year voted to allow the Department of Energy (DOE) to proceed with a license application. The project continues to be plagued by numerous economic, environmental, scientific, and policy problems. These include but are not limited to the uncertain suitability of the site and DOE's yet unspecified repository design, the unnecessary risks of transporting high-level nuclear waste, and the questionable legality of federal regulatory rollbacks underpinning the Yucca Mountain site recommendation.

In addition, we question the integrity of DOE's program because of recent allegations that Yucca Mountain quality assurance staff were reassigned after raising concerns about work on the project. And in April the Nuclear Waste Technical Review Board again reported to Congress that "the technical basis for the DOE's repository performance estimates is weak to moderate." More than ever, at this crucial juncture the Yucca Mountain project requires careful Congressional oversight and budget scrutiny as the DOE continues scientific studies and prepares a license application.

Unchecked spending on Yucca Mountain activities would be fiscally as well as environmentally irresponsible, particularly given the DOE's track record of cost over-runs and financial mismanagement. According to a General Accounting Office audit last September, DOE cost estimates have at least doubled while completion deadlines slipped by at least five years for 38 percent of the agency's projects with budgets of \$200 million or more. Already the total cost estimate for the Yucca Mountain project has spiraled to \$60 billion – almost double the original projection. The General Accounting Office reported last year that, "DOE currently does not have a reliable estimate of when, and at what cost, a license application can be submitted or a repository can be opened."

Given these uncertainties, Congress in the past has responsibly moderated the DOE's excessive spending requests for Yucca Mountain activities. In the upcoming 2004 appropriations process, we urge you to withhold full funding for this project, budgeted at \$591 million – a lavish increase of 28% compared to the funding levels agreed to in this year's omnibus appropriations bill.

Despite this over all increase in the Yucca Mountain budget, the administration is proposing to defund the monitoring and oversight activities carried out by the State of Nevada and affected local governments. \$8.5 million was previously allocated for this purpose, pursuant to Section 116 of the Nuclear Waste Policy Act. Congress should recognize the continuing value of local oversight and reinstate this allocation within 2004 Yucca Mountain appropriations.

Again, we urge you rein in the run-away Yucca Mountain project in the 2004 appropriations process by limiting funding to the program, and send a strong signal in defense of public health and safety. We would be happy to discuss the above-mentioned concerns with you further. Please contact Lisa Gue at Public Citizen (202) 454-5130 or Kevin Kamps at NIRS (202) 328-0002.

Sincerely,

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