

**ALLIANCE FOR NUCLEAR ACCOUNTABILITY * CLEAN WATER ACTION
ENVIRONMENTAL WORKING GROUP * FRIENDS OF THE EARTH * GREENPEACE
NATIONAL ENVIRONMENTAL TRUST * NATURAL RESOURCES DEFENSE COUNCIL
NUCLEAR INFORMATION & RESOURCE SERVICE * PHYSICIANS FOR SOCIAL RESPONSIBILITY
PUBLIC CITIZEN * SIERRA CLUB * U.S. PUBLIC INTEREST RESEARCH GROUP
THE WILDERNESS SOCIETY * WOMEN'S ACTION FOR NEW DIRECTIONS**

February 13, 2003

Re: Yucca Mountain Provisions in FY2004 Budget

Dear Appropriator:

As national environmental, public interest, and public health organizations we are writing to express our grave concern about the administration's fiscal year 2004 budget as it relates to the controversial Yucca Mountain nuclear waste repository project.

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 environmental, scientific, and policy problems including but not limited to the 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. More than ever, at this crucial juncture the project requires careful Congressional oversight and budget scrutiny as the DOE continues scientific studies and prepares a license application.

Therefore, we urge you to oppose the administration's proposal, outlined in the 2004 budget, to reserve funds specifically for the Yucca Mountain project within discretionary cap adjustments for 2004 and 2005. This proposal would inappropriately limit the discretionary authority of appropriators to balance various budget priorities, essentially granting the DOE a blank check for Yucca Mountain spending. Fiscally as well as environmentally this unusual maneuver would be grossly irresponsible, particularly given the DOE's track record of cost overruns and financial mismanagement in its nuclear programs. 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 again 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, 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, Kevin Kamps at NIRS (202) 328-0002, Brian Baenig at PSR (202) 667-4260, or Karen Wayland at NRDC (202) 513-6241.

Sincerely,

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cc. Members of the House and Senate Budget Committees