

Testimony of Representative Dina Titus (NV-01) to the Energy and Water, and Related Agencies Appropriations Subcommittee

Chairwoman Kaptur, Ranking Member Simpson, Members of the Committee, thank you for the opportunity to testify today. The relationship between the Department of Energy agencies and the State of Nevada has long been a difficult and painful one. For three decades, the Department of Energy has tried to force Nevada to become the dumping ground for the nation's nuclear waste – a proposal we have fought since the Screw Nevada Act was signed into law in 1987. We don't use nuclear energy, we don't produce nuclear waste, and we shouldn't be forced to store it.

In 2009, President Obama rightfully announced that his Administration would not seek funding for this misguided project. In 2012, the Blue Ribbon Commission on America's Nuclear Future advocated for a consent-based siting of nuclear repositories, a sentiment echoed by the recent Reset of America's Nuclear Waste Management Strategy and Policies report led by a panel of experts including former Nuclear Regulatory Commission members. This is what most nuclear nations have done, or are doing, to address nuclear waste. Yet President Trump and Secretary Perry, along with their allies in the nuclear industry and friends here on Capitol Hill, are pursuing a failed strategy. Accordingly, the budget submitted by the President includes \$116 million dollars to restart the Yucca Mountain licensing process. Even so, this request hides the real costs of continuing down this path.

In 2008 the Department of Energy estimated that without major interruptions, and if the nearly four hundred contentions raised by the State of Nevada are somehow adjudicated and dismissed, it would still take \$1.66 billion just to complete the multi-year NRC licensing process to receive a construction authorization. If that were to happen, according to an estimate by the State of Nevada based on cost studies prepared by the U.S. D.O.E., construction to complete Yucca Mountain would cost \$96 billion dollars. That figure does not even consider the costs of transporting this highly-radioactive nuclear waste through 44 States and the District of Columbia, including 330 Congressional Districts, on nearly 100,000 trucks. That's an average of 4-6 trucks per day, every day, for 50 years. Congress has already wasted \$15 billion dollars on this doomed project. We shouldn't waste a penny more.

The process that got us to this point was driven by bad politics, not sound science. There are serious concerns about seismic hazards near Yucca Mountain. The project would also border the largest air and ground military training space in the contiguous United States, the Nevada Test and Training Range, causing the Secretary of the Air Force to express concerns about storing nuclear waste at Yucca. Until, we as a Congress recognize that without consent of the state, affected local governments, and tribal communities, there will never be a solution to this problem, any attempt to appropriate further funds towards Yucca Mountain is simply wasting precious resources.

Second, I want to bring to your attention another issue of concern with the Department of Energy. Last year, the State of South Carolina sued the Department over its failure to complete the Mixed Oxide Fuel or MOX Facility. That facility, as you know, was to be built to process

weapons grade plutonium, but the Department failed to account for the ballooning costs associated with the facility, and the Trump Administration killed the project.

A federal judge directed the Department to move one metric ton of plutonium from the State of South Carolina. Following the ruling, a DOE proposal identified the Nevada National Security Site located 70 miles from Las Vegas, Nevada, as one of two recipients of this material. The State of Nevada filed suit, arguing the Department failed to adequately study the potential dangers of moving the material to an area that is subject to flash floods and earthquakes – a claim that has since been reinforced by a recent report by the Defense Nuclear Facilities Safety Board which noted the safety risks to workers at the site due to the high seismic hazards. Disturbingly, during oral arguments this past January the DOE failed to disclose to a federal judge that the plutonium had already been secretly shipped to the NNSS.

It is inexcusable that the Department withhold this information from a federal judge, let alone from the State of Nevada, the Congressional Delegation, and other stakeholders. DOE is required to move an additional five metric tons out of South Carolina in the coming years. The Department now claims that it does not plan to move any more plutonium to the Nevada, but considering the actions taken by DOE to date, Congress should prohibit any more funds being used for such actions to ensure DOE keep its word.

Madam Chair, I appreciate the invitation to be here today and speak of these important issues affecting Southern Nevada.