

**ANSWERS FROM THE ENERGY COMMUNITIES ALLIANCE (ECA)
QUESTIONS FOR THE RECORD (12.3.15)
Subcommittee Hearing on “Update on Low-Level Radioactive Waste Disposal Issues”**



QUESTIONS FROM SUBCOMMITTEE CHAIRMAN JOHN SHIMKUS

Question 1: Mr. Smith, your testimony noted that Greater Than Class C (GTCC) Material was intended for permanent disposal in Yucca Mountain. While DOE continues to consider waste options for GTCC, would Yucca Mountain be a natural option?

Under the current radioactive waste classification system used in the United States, Greater-Than-Class C (GGTC) waste can only be disposed of in a geologic repository (this is the only method currently approved by the Nuclear Regulatory Commission (NRC)). Thus, if the NRC receives funding to continue its review of the licensing application for Yucca Mountain, approves the license, and authorizes construction so that it can receive and accept waste, ECA does believe it would be a natural option. In addition, ECA notes that Nye County supports the inclusion of Yucca Mountain as an alternative for disposal of GTCC waste.

Although a decision to use the Yucca Mountain repository for GTCC waste disposal could be made now, DOE must still determine whether such use of the repository would have unacceptable environmental or institutional impacts on the repository's overall operation and performance. DOE could concentrate its efforts on this analysis over the next year or two. If it appears that no such impacts would occur, DOE could decide to use the repository for GTCC waste. In contrast, if it appears that unacceptable impacts would occur or repository disposal would be more expensive than other disposal alternatives, DOE could then evaluate other disposal options for GTCC waste disposal. In weighing the advantages and disadvantages associated with using the Yucca Mountain repository, it is important to consider the institutional and political

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difficulties associated with siting a separate GTCC waste disposal facility, regardless of its size or type.

The volume of GTCC waste is probably not large enough to justify the economic or institutional costs associated with developing a separate disposal facility, regardless of the technology used. The projected volume of GTCC waste that will be generated through the year 2020 would probably occupy much less than 1 percent of the proposed repository for commercial spent fuel and defense high-level waste. Preliminary calculations also indicate that the costs associated with using this large repository for GTCC waste would be comparable to, or perhaps even less than, costs associated with developing a small disposal facility only for GTCC waste.

As noted in our testimony before the subcommittee on October 28, 2015, ECA supports proceeding with the Yucca Mountain licensing application and following the law of the land as laid out in the Nuclear Waste Policy Act. However, given the current political stalemate regarding Yucca Mountain, we also support pursuing other options in parallel, like changing how waste is classified to allow for additional disposal paths for waste streams like GTTC.

With Congressional action, waste definitions can be clarified and GTCC and GTCC-like waste could potentially be disposed of in WIPP near Carlsbad, New Mexico. In fact, GTCC and GTCC-like waste is essentially the same as Remote-Handled Transuranic waste (RH-TRU) from the defense sector, which has already been safely disposed of at WIPP. If DOE and NRC determine this alternative is safe, secure and reliable; if legislation is passed to allow WIPP to accept the commercial waste as well as the defense waste it already takes; if the necessary regulatory changes are made and resources are provided for outreach and education in the community and State to ensure they understand the potential risks and benefits and approve, WIPP could provide an additional, safe, publicly acceptable disposal path for GTTC waste. This would result in

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lower federal and taxpayer costs for storage and less risk to human health and the environment.

Question 1. A.

Had DOE continued work on Yucca Mountain, would the advancement of the licensing process been a sufficient plan for your communities to have confidence that DOE will permanently dispose of GTCC waste?

In general, yes, but the fact that the timeline for opening Yucca Mountain to accept and permanently dispose of waste was so delayed that ECA would still have encouraged a regular review of other options to take into account technical lessons learned as time passed, our knowledge base grew and scientific advancements were made. ECA’s goal has always been to support a comprehensive nuclear waste management strategy that will get waste moving out of our communities as safely and expeditiously as possible.

We also believe it is important that Congress understands the ramifications of not continuing the Yucca Mountain license application review and the challenges that presents to communities interested in potentially hosting a nuclear waste storage or disposal facility. If Congress and the Administration decide to pursue a consent-based siting process, as recommended by the Blue Ribbon Commission on American’s Nuclear Future, any consent-based agreement will have to include strong language and have legally enforceable provisions to ensure that it cannot be changed by any change in administration or state government. We urge Congress to take a lead role and address the future of nuclear waste disposal with the urgency it deserves. ECA recommends that funds be appropriated for education and outreach in these interested communities to rebuild confidence and demonstrate a commitment to addressing nuclear waste issues.