

CHAIRMAN JOHN SHIMKUS' OPENING STATEMENT

Subcommittee on Environment and the Economy

"Federal, State, and Local Agreements and Economic Benefits for Spent Nuclear Fuel Disposal"

10:00 a.m., July 7, 2016

Good morning and welcome to our hearing to receive input from Nevada stakeholders about opportunities to move forward with the Yucca Mountain project.

First, I would like to thank my colleagues who are here to testify on this important issue. The members of the Nevada delegation demonstrate a willingness to engage in this conversation of national importance and demonstrate leadership in the Federal policy-making process.

Congressman Crescent Hardy represents Nye County, the site of Yucca Mountain, and the immediate surrounding counties. I appreciate his dedication in representing his constituents in Congress and recognition of the need to be a part of a constructive dialogue. He has stated that he will not tolerate the compromising of his constituents' safety, nor the safety of any other Nevadan. And I wholeheartedly agree.

I welcome my colleague from Illinois, Congressman Bob Dold. His testimony and legislation highlight the implications on communities around the country associated with this Administration's decision to walk away from Yucca Mountain. The legacy impact on cities like Zion, IL is often lost in the national conversation regarding the development of the Yucca Mountain repository to dispose of our nation's commercial spent nuclear fuel.

While we will hear from many Nevada stakeholders this morning, we will not be hearing directly from the State of Nevada. Governor Sandoval declined the Committee's invitation to participate and stated his opposition to the project based on scientific, technical and legal merits. I understand Governor Sandoval's position and look forward to seeing the scientific and technical issues resolved when the licensing process resumes. We are not here to pre-judge the outcome of this process, but rather discuss what Congress should consider when the license is issued.

Governor Sandoval is rightfully proud of Nevada's contributions to our nation as the host of key national security facilities and armed forces bases. He notes, "Nevadans also believe our relationship with the federal government should be one where the state is seen as a valued partner; an ideal that often is not recognized." I hope going forward we will have a meaningful conversation about how exactly that partnership can be constructed despite the State's formal objection in 2002, one Congress overwhelmingly rejected. I look forward to building this relationship and a continuing dialogue with the Governor.

Our second panel of witnesses today consists of a wide range of Nevada stakeholders, including State and local elected officials, and private citizens. Those families who reside closest to the repository site should have their voices heard so Congress can understand their priorities, including how the Federal government can provide assurance for safety, security, and other infrastructure needs. This must be a two way conversation.

Last March, a Las Vegas newspaper published an editorial titled “Washington, Make us an Offer,” that stated “if we’re going to have a conversation about nuclear waste storage, it should start with honesty – from both sides.” The editorial proceeds to identify the potential associated with reprocessing and research on nuclear material. This is the very conversation that we are here today to have.

Today’s testimony will inform a key component of this Committee’s efforts to develop comprehensive legislation to advance used fuel management. This session of Congress we received testimony addressing challenges associated with a variety of nuclear waste issues, including how to safely transport nuclear material and fix a broken budgetary system. Those two topics in particular are relevant to the State of Nevada’s interests. I have heard concerns that spent fuel shipments will travel too close to population centers. To address these concerns, I would welcome alternative proposals. Further, Congress needs to assure financial resources for the State and affected local governments are available for technical and administrative costs when the money is needed.

However, beyond financial resources, I look forward to hearing what tangible items could benefit the State, such as associated infrastructure, access to Federal land, rights to economic value and the jobs to support a nuclear reprocessing facility.

While we are examining the Nuclear Waste Policy Act and Nevada, we can also learn from similar examples relating to hosting nuclear storage facilities for the Federal government. For example, what lessons can be learned from New Mexico’s experience as the host for the Waste Isolation Pilot Plant (WIPP), a repository for transuranic nuclear waste. In the WIPP Land Withdrawal Act, Congress helped to mitigate transportation risks by authorizing an alternative highway route around Santa Fe, New Mexico. Similarly, New Mexico State officials have the authority to inspect transportation canisters to make sure they meet the high regulatory standards in place.

The Federal government also entered into an agreement with the State of Idaho in 1995 to govern the storage of U.S. Navy spent nuclear fuel. This agreement included required milestones and legally binding consequences if the Federal government does not meet those standards. I

recognize the New Mexico and Idaho situations are each unique, but we should be applying lessons learned to Nevada, rather than the current path proposed by this Administration.

The Department of Energy is currently in the midst of an extended roadshow to highlight a political message that states should each have veto power over a national decision to resolve a national challenge. But this publicity campaign ignores the law of the land. Nye County offered to host a DOE public meeting, but the Department instead chose to pursue meetings in the far reaches of the country and pretend the citizens of Nye County are irrelevant to this discussion. The Federal government made the decision to site the repository at the Yucca Mountain site in 1987. DOE should be working with Nevada stakeholders to make progress on the repository instead of ignoring the law. Our hearing this morning will do the job that DOE isn't.

We will continue to listen to all stakeholders to develop a comprehensive solution to dispose of our country's spent nuclear fuel. Thank you again to your participation on this important issue.