

**Statement for the Record of Chairman Fred Upton**  
**Subcommittee on Environment and the Economy**  
**Hearing on “Federal, State, and Local Agreements and Economic Benefits for**  
**Spent Nuclear Fuel Disposal”**  
**July 7, 2016**

Today we’ll hear from Nevada stakeholders about opportunities to work together toward the development of the Yucca Mountain geologic repository. I welcome and appreciate the testimony of my colleagues on this important issue that many of us have a personal interest in. It is no secret that I am a strong supporter of nuclear power and with two plants, Cook and Palisades, along the shoreline of Lake Michigan in my district.

Northern Michigan also hosts a decommissioned nuclear site with legacy spent nuclear fuel as the sole remaining material. With both active and decommissioned facilities in Michigan, I am keenly aware of the public dialogue surrounding used nuclear fuel management. Representing your constituents by giving them a voice in the legislative process is why we are in Congress and I thank our second panel of witnesses for being here today.

In 1982, Congress included a number of key mechanisms in the Nuclear Waste Policy Act to establish a working relationship between the Department of Energy, the host state, and affected tribal and local governments of the repository. For example, the federal government was responsible for providing adequate funding to the state of Nevada to support administrative costs and technical oversight without placing a financial burden on those entities. This included financial support to assure Nevada and other affected local governments, such as

Nye County, were participants in the licensing process.

In addition to providing Nevada responsibility relating to technical oversight issues, the law also provided specific economic benefits for the state. These benefits included financial compensation, a preference to host federal research facilities and the development of a benefits agreement between the state and federal government. Unfortunately, due to Nevada's objection to the siting decision, those benefits were not realized. As we consider the necessary components to resume and complete the Yucca Mountain project, it is important to reexamine Nevada's 21<sup>st</sup> century economic priorities and infrastructure needs associated with hosting a nuclear disposal facility.

In 1982, as part of the NWPA, Congress also created an Office of Nuclear Waste Negotiator. This presidential appointee was to engage with stakeholders to identify a community willing to host a consolidated interim storage site. As no state acted eager to host a site, and more was learned about the suitability of the Nevada site, Congress proceeded to focus solely on the Yucca Mountain location for the next two decades until President Obama abruptly changed course in 2010. The Department of Energy is now wasting valuable time and money, and ignoring a history lesson while taxpayers continue to rack up billions of dollars in liability for the delay in opening Yucca Mountain. Instead of expending financial resources to hear from everyone but the State of Nevada, DOE should reconstitute the Yucca Mountain program and engage in a meaningful conversation with those stakeholders, as we are today. Our nuclear energy future depends on it.