

United States Senate

WASHINGTON, DC 20510

April 21, 2017

COMMITTEES:

FINANCE

BANKING, HOUSING, AND
URBAN AFFAIRS

COMMERCE, SCIENCE, AND
TRANSPORTATION

VETERANS' AFFAIRS

The Honorable John Shimkus
Chairman
Energy and Commerce Subcommittee
on Environment and the Economy
2125 Rayburn House Office Building
Washington, D.C. 20515

Dear Chairman Shimkus:

As the House Energy and Commerce Subcommittee on Environment and the Economy prepares to hold a hearing on April 26, 2017, on your draft legislation, the Nuclear Waste Policy Amendments Act of 2017, I wish to reiterate my strong opposition to the defunct Yucca Mountain Nuclear Waste Repository and urge you to work with me on viable solutions to this important problem plaguing our nation.

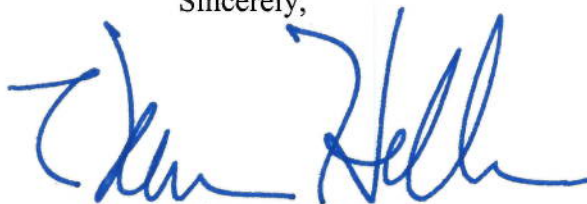
While I understand that you disagree with me on the issue of Yucca Mountain, we are in agreement that it is in the best interest of our nation that a program to dispose and store used nuclear fuel and high-level radioactive waste from civilian nuclear power generation, defense, national security, and other activities is implemented as soon as possible. I fully appreciate your commitment to ensure that progress is made on this issue, but I am highly concerned that your proposed legislation would not only significantly harm the state of Nevada but would infringe upon states' rights concerning air and water permitting authority.

The pre-emption of state water law and states' authority to issue air permits in your draft legislation is jarring to say the least. In addition, the benefits provided to host communities are nothing more than unenforceable and illusory promises. Moreover, your legislation ignores the national security risk posed by thousands of nuclear waste shipments to Yucca Mountain.

I have long said that I stand ready to partner with you on a viable solution that provides for consent-based storage for spent nuclear fuel and defense high-level waste. With that said, that solution is not forcing that burden on Nevada, a state that has never had a nuclear power plant. Rather, identifying communities willing to host a long-term repository instead of forcing it upon states that have outright opposed such a site, is the only viable long-term solution to our nation's nuclear waste problem. It is in the best interest of our nation that your subcommittee, and the Congress as a whole, focus on that consent-based process as opposed to the draft legislation that stands before it today.

Our nation cannot fully move forward with viable sustainable solutions for spent nuclear fuel and defense high-level waste until Congress moves past Yucca Mountain. I hope you will partner with me in supporting a consent-based approach so that we can progress towards viable long-term solutions for our nation's spent nuclear fuel.

Sincerely,

A handwritten signature in blue ink, appearing to read "Dean Heller". The signature is fluid and cursive, with the first name "Dean" and the last name "Heller" clearly distinguishable.

DEAN HELLER
U.S. Senator