

**Subcommittee on Environment and Climate Change**  
**Hearing on**  
**“Cleaning Up Communities: Options for the Storage and Disposal of Spent Nuclear Fuel”**  
**June 13, 2019**

**Mr. Robert J. Halstead**  
**Executive Director**  
**State of Nevada, Office of the Governor, Agency for Nuclear Projects**

**The Honorable John Shimkus (R-IL)**

1. Please provide how much federal funding from the Nuclear Waste Fund and any other federal accounts Nevada has received and expended to participate in the Yucca Mountain licensing process, including the filing of contentions and other actions in the NRC adjudicatory process.

**RESPONSE: (REVISED 7.23.2019)**

The U.S. Department of Energy (DOE) submitted the Yucca Mountain repository license application to the U.S. Nuclear Regulatory Commission (NRC) in June 2008. The State of Nevada began full preparation to review the license application and related documents in July 2007, and has continued to participate in the proceeding, which was suspended by the NRC in 2011, and restarted by Federal Court order in 2013 with limited funding. Congress has appropriated no new funds to DOE or NRC for Yucca Mountain licensing activities since federal Fiscal Year 2011. Nuclear Waste Fund appropriations to DOE for most prior fiscal years included funds disbursed to the State of Nevada to participate in licensing activities pursuant to the Nuclear Waste Policy Act, those funds to remain available until expended. According to DOE’s Office of Civilian Radioactive Waste Management, DOE provided \$97,616,609 to the State of Nevada between federal Fiscal Years 1983 and 2010 inclusive.<sup>1</sup>

Between July 2007 and May 2019, the State of Nevada expended \$17,920,993 from the Nuclear Waste Fund and \$26,379,213 from State funds, for a total of \$44,300,206, to participate in the licensing process, including filing of contentions, participation in the adjudicatory process before the Construction Authorization Boards, response to orders of and actions by the Commission, review of the NRC Staff Safety Evaluation Report, review of the NRC Staff Environmental Impact Statement Supplement on Groundwater Impacts, review of NRC Licensing Support Network documents, and participation in NRC meetings in Nevada and Maryland. No federal funds have been expended for litigation. The State of Nevada files annual certifications with DOE assuring federal funds have not been used for litigation or other prohibited activities. The State of Nevada has received no funding from the Nuclear Waste Fund since federal Fiscal Year 2010, when \$4,998,720 was disbursed to the Office of Attorney General<sup>2</sup> to remain available

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<sup>1</sup> OCRWM, Office of Business Management, *Summary of Program Financial and Budget Information as of January 31, 2010*, page 14.  
<http://www.state.nv.us/nucwaste/news2018/pdf/ocrwm-budget-summary.pdf>

<sup>2</sup> Congress appropriated to DOE \$98,400,000 from the Nuclear Waste Fund and \$98,400,000 from the defense nuclear waste account for FY 2010, specifying “2.54 percent shall be provided to the Office of the Attorney General

until expended. [Public Law 111-84-October 28, 2009, 123 STAT. 2702; Public Law 111-85-October 28, 2009, 123 STAT. 2864] We are currently in the process of closing out our expenditures for the Nevada Fiscal Year ending June 30, 2019. Our preliminary estimate is that less than \$100,000 dollars remain to be spent from the Fiscal Year 2010 disbursement of federal funds.

State of Nevada Expenditures for Participation in Yucca Mountain Licensing Proceeding,  
 Agency for Nuclear Projects and Office of the Attorney General Combined

State Fiscal Year Ending June 30	State of Nevada Funds (Dollars)	Federal Nuclear Waste Fund (Dollars)
2008	2,900,367	4,021,617
2009	1,649,442	5,163,027
2010	2,397,949	2,498,239
2011	2,228,359	952,712
2012	1,108,690	1,686,143
2013	1,063,093	1,180,443
2014	1,044,583	1,247,464
2015	1,772,159	739,890
2016	2,872,887	139,931
2017	3,355,097	0
2018	3,234,134	101,380
2019 (Preliminary)	2,752,453	190,147
Total	26,379,213	17,920,993

In addition to these Yucca Mountain expenditures, during the same period (Nevada FY 2008-2019) the Agency for Nuclear Projects received \$1,364,316 through grants from the Western Governors Association (WGA) to support activities by other State of Nevada agencies involved in planning, training, and exercises to prepare for DOE shipments of transuranic waste to the Waste Isolation Pilot Plant. DOE funds WGA for the specific purpose of distributing funds to states affected by these shipments. These payments could be viewed as payments to the State of Nevada from other federal accounts, but these funds are not used for Yucca Mountain licensing activities.

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of the State of Nevada solely for expenditures, other than salaries and expenses of State employees, to conduct scientific oversight responsibilities and participate in licensing activities pursuant to the NWPA.”