

United States Senate

WASHINGTON, DC 20510

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TRANSPORTATION

VETERANS' AFFAIRS

June 19, 2017

Ms. Kristine Svinicki
U.S. Nuclear Regulatory Commission
Mail Stop O-16B33
Washington, DC 20555-0001

Dear Ms. Svinicki:

I appreciated the opportunity to recently meet with you concerning what I view is one of the most important issues to the future safety and economic security of my home state of Nevada, namely Yucca Mountain. Per our meeting, I have several followup questions that I respectfully seek clarity on.

As you know from our meeting, I strongly believe that consent must be at the center of any long-term solution related to depositing high-level nuclear waste, especially when there are safer and more cost-effective alternatives. This is why I have authored bipartisan, bicameral legislation, the Nuclear Waste Informed Consent Act, to allow for the construction of a nuclear waste repository only if the Secretary of Energy has secured written consent from the governor of the host state, affected units of local government, and affected Indian tribes.

This is an approach previously supported by the Department of Energy. In 2005, the Department began a consent-based siting initiative to site nuclear waste storage and disposal facilities. This initiative was the result of the Blue Ribbon Commission on America's Nuclear Future, a 15-member, bipartisan group tasked with studying waste disposal.

This open process ensures all Americans have a meaningful voice in the process if their community is being considered for a future nuclear waste repository. Rather than attempting to force the failed Yucca Mountain proposal on Nevadans, U.S. taxpayer dollars would be better spent on further implementing the Department's past efforts on consent-based siting. This worthwhile initiative will ensure that no state will be forced to accept nuclear waste against its own will.

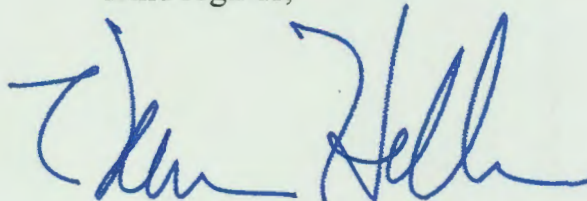
With that, I respectfully I ask you provide detailed answers to the following questions by no later than June 26, 2017.

- 1) When did you first become aware of the proposed Yucca Mountain repository?
- 2) Do you believe that Yucca Mountain is a viable, safe option for the long-term storage of our nation's nuclear fuel and high-level radioactive waste?

- 3) Are you familiar with my legislation, the Nuclear Waste Informed Consent Act?
- 4) If passed by Congress, do you believe the requirement of consent should apply to all 50 states?
- 5) You recently testified before the Senate Energy and Water Appropriations Subcommittee justifying the President's budget request to restart the licensing process at Yucca Mountain. What is your understanding of the cost of licensing of Yucca Mountain? What is your understanding of the total life cycle costs of constructing, operating, and closing a Yucca Mountain repository?
- 6) Do you agree with the Nuclear Regulatory Commission (NRC) staff's Safety Evaluation Report that was released in 2015 even though the reports do not respond to almost 300 safety and environmental concerns that have been raised through admitted contentions in the licensing proceeding? Would you agree that these contentions require a resolution before the NRC could determine the safety of the proposed repository and issue a construction authorization?
- 7) Are you aware that Yucca Mountain is located in a fractured geologic environment, above an aquifer, and is in an area of moderate to high seismic activity and potential future volcanic activity?
- 8) Are you aware that the surface facilities at Yucca Mountain would be at risk of military aircraft crashes, requiring restrictions on military airspace and overflights to meet the NRC's licensing conditions?

I appreciate your attention to this matter, and I look forward to receiving your responses.

Kind regards,



Senator Dean Heller

FCM

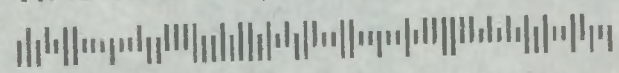
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