

We've Got The Power!

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The Battle Over Yucca Mountain

“The Nuclear Waste Policy Act Amendments of 1999” (S. 1287) will lead to radioactive waste rolling across our roads and rails. This legislation, which will generate 100,000 shipments of a material so lethal that a 3 minute exposure causes death, may be considered by the Senate as early as the week of September 20th, but more likely will come to the floor at the beginning of October. This legislation would

amend the Nuclear Waste Policy Act of 1982, which set in motion a study to determine if Yucca Mountain, Nevada, is a suitable repository for all of the nation’s nuclear waste. So far, indications are that Yucca Mountain is unsuitable for many reasons, including frequent nearby earthquakes and the strong possibility of contaminating the groundwater that runs through Yucca Mountain. The nuclear power industry has been

pushing for passage of S. 1287, and Senate Majority Leader Trent Lott is willing to push the bill for them.

If passed, S. 1287 would make the harmful Nuclear Waste Policy Act of 1996 even worse by:

- ◆ mandating that the federal government take title and assume liability for all commercial nuclear waste in the United States, including all storage costs. This provision places the burden of paying for nuclear waste storage, disposal, and liability squarely on the shoulders of the taxpayers, and removes it from the shoulders of the nuclear power industry.

- ◆ allowing “backup storage” at Yucca Mountain, or at a private licensed site. Backup storage at Yucca Mountain or another “temporary” site will mean the absolutely needless and terribly risky transportation of radioactive waste from 77 sites through 43 states before a definite decision has been made regarding the permanent storage of radioactive waste. This bailout of the

Act Now!

Call the President (202-456-1111) and encourage him to VETO S. 1287, even if the EPA is allowed to set radiation standards. Call your senators (202-224-3121) and urge them to vote AGAINST S. 1287. Name the reasons listed in this article, and encourage them to oppose the bill even if the EPA is named the standard setter. Visit our website at <http://www.citizen.org/CMEP/> or call us at 202-546-4996 for more information on S. 1287 and what you can do to oppose disposal of our nation’s nuclear waste at Yucca Mountain.

nuclear industry is unacceptable, and it endangers more than 50 million Americans in their homes, workplaces, and schools because the waste will be travelling through their towns. The backup storage provision of S. 1287 is particularly important to note because it replaces an earlier “interim storage” provision that was opposed by several lawmakers. With the change in terminology, supporters of the bill are arguing that interim storage has been removed from the text. This argument is just not true. S. 1287 is still a “Mobile Chernobyl” bill, with plans to unwisely transport this lethal waste.

♦ violating U.S. nuclear non-proliferation policy by setting up an “Office of Spent Nuclear Fuel Research” to conduct research on plutonium, reprocessing, and transmutation technologies. Reprocessing and transmutation allow for the reuse of nuclear material in nuclear weapons production and as

fuel for nuclear power. The nuclear power industry supports this possibility because it means that the nuclear age will continue long into the future. Those who seek this research claim that there will be less waste if we develop new technologies, but the fact is, continued use of nuclear fuel will continue to produce more waste, and it will increase exposure of the public to radioactive materials. The problem is already too big to solve. We must not allow the mountain of waste to grow any larger.

♦ preventing the Environmental Protection Agency (EPA) from setting “radiation safety standards”—the Nuclear Regulatory Commission (NRC) would be responsible for setting these standards instead. In addition, the NRC would be forbidden by law to set release limits for deadly nuclear waste or to specifically protect groundwater.

The EPA has recently published

a set of draft radiation standards, and senate staff members have indicated that in light of this draft, there is a possibility that the EPA could be allowed to set the radiation safety standards. Although the EPA is definitely the preferred agency to set such standards, the draft standards are unclear and lenient, and it is crucial to continue to fight for strong, clear standards to protect the public and the environment. In fact, the term “radiation safety” is contradictory. The only acceptable amount of radiation from non-naturally occurring sources is zero.

The Administration has not yet officially stated whether changing the bill to allow the EPA to set the radiation standards would result in the removal of President Clinton’s veto threat. However, key senate staff members have indicated that they think if the EPA replaces the NRC as the standard setter, Clinton may sign the bill.

Deregulation Chances Dim in House

The chances that Congress will pass electricity legislation appear dim, according to Rep. Ed Markey (D-Mass.), an influential member of the House Commerce Subcommittee on Energy and Power, the subcommittee with jurisdiction over electricity deregulation.

Markey revealed his assessment during a recent meeting with Public Citizen and other groups. The Massachusetts Democrat said that as we get closer to the 2000 elections, in which either party may gain control of the White House, the Senate, or the House, the less likely Republicans and Democrats will work together to pass *any* legislation. This is especially true for legislation as complicated

and far reaching as electricity deregulation.

Markey has made several attempts to get a electricity deregulation bill off the ground, and believes that only a bipartisan bill will make its way through Congress. In the summer of 1998, Markey and Rep. Tom DeLay (R-Texas), introduced a narrow bill dealing with electricity reliability and market power issues. Earlier this year, Markey and Rep. Steve Largent (R-Okla.) introduced a broader deregulation bill. Neither bill was supported by Public Citizen due to their lack of adequate protections for consumers, workers, and the environment.

Although Public Citizen does not share Mr. Markey’s enthusiasm that electricity deregulation legislation will provide benefits for residential consumers, we do agree with his prognosis that given the lack of consensus within and between each of the major parties, electricity legislation is unlikely to be enacted this year. Given the lack of consumer, worker, and environmental protections in bills or drafts introduced by Barton, Markey and others (except for the bill introduced by Rep. Dennis Kucinich), Public Citizen believes that no legislation is better than the bad legislation being proposed by Barton, Markey, et al.

For more information, call us at 202-546-4996.