

**CLARK COUNTY YUCCA MOUNTAIN NUCLEAR WASTE ADVISORY COMMITTEE  
MEETING MINUTES  
March 16, 2009**

Chairperson Irene Navis called the meeting to order at 10:05 a.m.

1. **Welcome and introductions:** The attendees (**Exhibit A**) were welcomed and asked to introduce themselves. **Members present:** Michael Johnson, Peggy Maze Johnson, Clete Kus, Melvin McCallum, Irene Navis, Maria Rodriguez, Daryl Thomé, Penney Towers and John Willis. **Members excused:** Brok Armantrout, Curtis Brown, Deanna Domingo, Councilman Gustaveson, Liane Lee, Caren Levenson, Jan Schweitzer, and Ned Thomas. **Members absent:** None.
2. **Consideration of the February 23, 2009, minutes:** The minutes were unanimously approved.
3. **DOE License Process Update:**
  - The budget reduction that we are expecting to see in 2009 for the YM program resulted in a significant funding cut to the Department of Energy, but an increase to NRC. Consequently, DOE will have a difficult time moving through the licensing proceeding and responding to NRC questions regarding the license application. Nuclear Regulatory Commission (NRC) will be able to increase their staff since their money was increased by \$49,000,000.
  - The DOE filed a revised license application, including a number of new and revised documents, including the probabilistic volcanic hazard assessment update. According to DOE, the changes were minor and had no effect on the application. Clark County and the State of Nevada disagree.
  - Last week, the license application first prehearing teleconference was held. There are three panels set up. One of which is assigned to administrative-type duties. Hearings will be held March 31, through April 2, 2009, at the NRC facilities. These are the first set of hearings on the petitions to intervene and contentions (200+ filed by the state; 15 by Clark County; and miscellaneous others).
  - Lincoln County is not going to be an intervener; but is waiting to see what others are doing. They have the opportunity to file as an interested governmental participant, and attach to other's contentions. As an interested government participant, their participation is somewhat limited. They don't have the same rights in the hearing proceeding.
  - The Caliente Hot Springs Hotel has filed to be an intervener. They feel their property is directly affected.
  - It is anticipated that the first set of meetings will be focused on what happens with the contentions: how they will be grouped; how they will be heard, and how they will be addressed. The parties were encouraged to see where there could be joint contentions, and where there are opportunities to adopt each other's contentions.
  - The only two parties who do not have to prove standing are the State of Nevada and Nye County, regardless of whether or not their contentions survive.
  - The Timbisha Indians have an oversight office, and a tribe; two different factions that submitted petitions to be interveners. They are not the same people within the tribes. They are represented by two sets of attorneys.
  - The Nuclear Energy Institute has filed a petition to be an intervener.
  - The counties do not have to prove standing to stay in the proceeding. However, for any of the counties to stay in the proceeding as interveners, there must be at least one surviving contention. The county's status would revert back to the status of interested

government participant. At that point, there is the opportunity to adopt other contentions or to work jointly with others who survived the process, and will make it to the next review.

- The safety review by the NRC is ongoing. Fiscal Year 2010 funds will determine the speed of the review. The budget document President Obama signed allows the DOE and NRC to proceed with the licensing. However, there may be something in progress that will stop the licensing proceeding altogether.
- Senators Reid and Ensign put forward legislation to set up a Blue Ribbon panel to look at, from a comprehensive standpoint, the issue of nuclear waste management as an alternative to Yucca Mountain. The panel members have not been selected as of yet, but the bill has language stipulating the process and who can make the selection. It is a nine member panel, with up to two years of work (**Exhibit B**).
- At the state level, ACR Assembly Resolution No. 16, by Cobb (primary sponsor), tries to reshape the mission of the State's Nuclear Projects Office; the role of the government; the position of the state; and how we go about participating the licensing proceeding and looking at mitigation and benefits for the state in exchange for the acceptance of nuclear waste. This was introduced on the Assembly Floor last week and referred to Committee on Elections, Procedures, Ethics, and Constitutional Amendments (**Exhibit C**). We are all developing comments. Clark County and the State Commission on Nuclear Projects oppose this resolution.
- Nuclear Energy Institute is looking for volunteer sites for interim storage and reprocessing facilities.
- Clark County's message is that we remain an active participant, have oversight money to continue our work.
- Regarding transportation, the Surface Transportation Board has not given a time frame for their review/decision.

#### **4. National Transportation Plan, review/comments:**

- A copy of the Department of Energy's *National Transportation Plan, January 2009*, was distributed (**Exhibit D**).
- Clark County needs to stay engaged and show linkages to existing highway and rail initiatives. An impact would be improvement to or Federalization of Nevada highways, whereby they could be used to transport high-level radioactive nuclear waste.
- There are no radiation dose standards for transportation.
- Risks to public health are impacts, since the type of canister planned for rail transport of high-level radioactive waste does not currently exist. Although there is no prototype nor has any testing done, DOE's computer model says it's safe. Waste materials have been shipped for many years, and DOE claims there has been no harmful release of radiation. The radiation dose standards are only for/at the site. DOE plans to rotate workers on a regular rotation basis.
- DOE's public safety assessment is not adequate in terms of potential impacts to first responders. Further, DOE's policy under Section 180 (c), Nuclear Waste Policy Act, regarding funds for technical assistance and training is inadequate.
- Your comments on the National Transportation Plan should be sent to Barbara Blumer before April 8<sup>th</sup>.

#### **5. Member updates:**

- The City of Henderson officially appointed Sharon Beesley to the Yucca Mountain Nuclear Waste Advisory Committee as a public member.
- Earth Hour: restaurants will have candlelight dinners, as well as the Springs Preserve.
- The RTC's Thirty-Year Transportation Plan was approved.

- The rail line to Anaheim, California, may be funded in part by stimulus money given to the states of California and Nevada.
- The City of Mesquite recently gave a presentation on environmental issues. They have a Yucca Mountain Web site, and recently approved the police/safety element, master plan, and identified Yucca Mountain policies and goals.
- Irene Navis conducted a training session for City Parks & Leisure Services liaisons on February 27, 2009.
- The NRC has 26 new applications for 17 sites.

**6. Approval of Meeting Calendar:** The calendar was approved at the February 23, 2009, meeting.

**7. Next Meeting Date; Select Agenda Items:** Monday April 20, 2009.