

**CLARK COUNTY
YUCCA MOUNTAIN NUCLEAR WASTE ADVISORY COMMITTEE MEETING MINUTES
May 14, 2012**

Irene Navis, chair, called the meeting to order at 10:08 a.m.

- 1. Welcome and introductions:** Irene Navis welcomed the attendees.
Members present: Brok Armantrout, Peggy Maze Johnson, Liane Lee, Caren Levenson, Melvin McCallum, Irene Navis, Maria Rodriguez, Ned Thomas, Daryl Thomé, and Councilman Withelder. **Members excused:** Sharon Beesley. **Members absent:** Deanna Domingo, Stephen Shoaff, and Holly Woodward (**Exhibit A**).
- 2. Public Comment:** None.
- 3. Consideration of the December 12, 2011, meeting minutes:** Unanimously approved.
- 4. Receive member updates from Clark County, Cities of Las Vegas, North Las Vegas, Mesquite, Henderson, Boulder City, and Moapa Band of Paiutes, RTC, NDOT, and citizen members.**
 - Clark County is monitoring the lawsuit brought by the states of Washington and South Carolina, and others, heard May 2, 2012, in the U.S. Court of Appeals, District of Columbia Circuit. Clark County is also monitoring the actions of the Department of Energy (DOE).
 - The Nuclear Waste Division is reviewing documents and reports as they come out, weighing in where appropriate.
 - One of the documents reviewed is the Nevadans for Carbon Free Energy route. The report addressed why Nevada should accept a benefits package similar to what folks in Alaska receive for oil. Gene Pasinski is working on a white paper addressing this. The paper will be forwarded to the members when it is completed.
 - Nevada's situation is not like Alaska's, and when there is a public outreach event, this is one of the questions asked the most: Why are Nevadans not looking at benefits like they are getting in Alaska?
 - There are about 28 legal actions filed in New Mexico against the DOE for non-compliance with their agreement. Gene will research this. This is part of the problem. It is nice to say we promise the funds etc., but if there is no funding by Congress.....
 - The *Lessons Learned* report is in final draft, and members will receive a copy when it is completed. There are three pages of acknowledgements, naming all members of the Yucca Mountain Nuclear Waste Advisory Committee.
 - The Nuclear Waste Division toured the Atomic Testing Museum. The Atomic Testing Museum and UNLV will be offered the division's documents after imaging and digitizing, etc.
 - If Congress decides to fund Yucca Mountain, we will be back. However, it is doubtful it will happen this year, an election year. If it is resurrected, it may occur in a future cycle: 2014-2015.
 - Alternative uses are being looked at by Congressman Joe Heck.
 - When people start crafting/writing regulations around the Blue Ribbon Commission's recommendations, terms like the idea of what is local government, what does community mean, what does neighboring county mean, what does state approval mean versus host county or host community, will be defined. All of these terms were used in the Blue

Ribbon Commission report, without formal definition, and these will need to be defined. The report never referenced the term Affected Units of Local Government. This is a term exclusive to the Nuclear Waste Policy Act.

- In the FY13 appropriations process, there is \$25 million more available for Yucca Mountain. The whole issue really is based on the presidential election. The Senate has not passed a budget for the last three years. This is not by accident. This is to control the budget process, where all of the efforts of the house to push Yucca Mountain forward don't make it to the Senate, is by design. Which also goes to the issue of where the money comes from, which is how the money was stopped.
- The Total Life Cycle Cost of Yucca Mountain report said that one repository was not enough. The nuclear waste slated to be stored at Yucca Mountain is already at the maximum allowed. Regardless of what happens at Yucca Mountain, other facilities are needed.
- Regarding, the SWEIS comments, DOE expects to have the draft out in July 2012. This is a new draft that includes the comments from stakeholders. DOE wants to have a final EIS done prior to the election. The draft includes a preferred alternative(s).
- When the final draft report is ready for review, the SWEIS working group will convene to review the report.
- The DOE does not intend to use a transportation route through the Spaghetti Bowl, since Clark County and other local governments were successful in making the DOE recognize that Las Vegas has unique local conditions. The DOE was looking at the global picture and not considering the smaller impacts and unique local conditions. The state of Nevada complimented Clark County on its coordinated effort reviewing the SWEIS comments.
- There were a couple of reports citing violation of the requirement to stay out of the Las Vegas urban area regarding low-level waste shipments to the test site. Almost every month there were shipments reflected on the quarterly report. We don't receive notice of violations. Phil Klevorick is the County's representative on the Nevada Site Specific Advisory Board for the test site. The Board receives a summary report from the DOE Environmental Management Office. They keep track of the number and volume of shipments, violations of shipping routes that go to and from the test site (Area 5). The shippers are held accountable for corrective action and are required to come back with their corrective action response. It could be a termination of their contracts. DOE reacts and responds. DOE will suspend that company from further shipments until a corrective action report is completed. The Nevada Department of Transportation (NDOT) may not oversee this, and has not received any notice of shipments. NDOT will research if they received any notices of violation.
- NDOT is working with Regional Transportation Commission (RTC) with writing transportation improvement plans. The Federal Highways report is awaiting approval. Meetings were held with Esmeralda and Nye counties, and there are plans to meet with Lincoln County on June 4th.
- The RTC has a new general manager, Tina Quigley. The RTC is looking at rerouting lines and obtaining federal funds for their programs.
- There was an emergency management exercise with RTC, the state of Nevada, and TSA (Transportation Security Administration). This exercise focused on the communication channels, especially the coordination of communication among the agencies. It also looked at vulnerabilities associated with mass transit.
- Nancy Sutley, from Washington, D.C., discussed sustainability issues and looked at Henderson's solar power.

- Planners from the cities of Henderson and Las Vegas attended a seminar in Denver on resilience in emergency planning.
- Studies associated with Yucca Mountain included long-term climate.
- Caren Levenson will be relocating to Alaska sometime in June.
- The City of Las Vegas is monitoring the appropriations bills. Las Vegas is part of the Conference of Mayors and is working on a proclamation that has to do with nuclear waste. The economic advisory committee will be meeting with Councilmen Bob Beers and Bob Coffman.
- Citizen Alert is not staffed, but continues to monitor what is going on with alternative uses for the test site. A suggestion for an alternative use is document storage.
- Homeland Security training may be available for Yucca Mountain.
- The solar plant, currently under construction in Boulder City, should be completed in December 2012. The second phase is scheduled to start January 1, 2013.
- The RTC is putting up unique bus stops that tie solar energy in with artistic solar structures.
- The *snow bunnies* are departing from the City of Mesquite within the next 30-40 days.
- Clark County should reaffirm its Yucca Mountain resolution. Members will be notified when the Board of County Commissioner's meeting will be held so they can attend.

5. Discuss and define ongoing role of advisory committee, its funding shortfalls, NRC review/approval of request to withdraw application, and impacts to oversight.

- In terms of the Nuclear Waste Division's program, there is enough funding to last through the end of December with current staffing levels. If there is no funding, there will not be enough to continue. There may be some residual funds to perform maintenance of the program.

6. Discuss the U.S. Court of Appeals for the District of Columbia Circuit oral arguments held May 2, in a case that could decide the fate of the Yucca Mountain, Nev., nuclear waste dump.

- The Court of Appeals heard the issues, about a week ago. The end result was that more papers needed to be filed. The Court asked why DOE was not present (DOE is not a party to the petition). However, the Court wanted to hear from the Department of Justice on behalf of DOE, and their position on forcing the license application to move forward.
- Some of the judges questioned why the review of the Yucca Mountain license application was not continuing, since some funds were available. The NRC has not allowed the withdrawal of the application. The 2:2 vote at the commission allowed the NRC to continue its review, so the judge panel is questioning why the NRC is not reviewing the application.
- There was a lot of discussion, but no decision.
- The presidential election may or may not have a bearing on when the judge panel will decide. With papers filed in early to mid-June by the DOE, NRC, and other parties' petitions, there may be a decision by the end of August.
- Clark County is monitoring federal appropriations, funding, and any other actions taken by Congress.
- Some comments made were insightful, and some questioned whether the Nuclear Waste Policy Act stipulates that there must be a nuclear waste repository.
- There has been wide discussion in Congress about the recommendation from the Blue Ribbon Commission.

7. Discuss meeting calendar: For the time being, keep the quarterly meeting schedule.

8. Next meeting date; Select agenda items:

The next meeting is tentatively scheduled for September 10, 2012.

9. Public Comment: None

10. Adjournment: At 11:25 a.m., the motion to adjourn was unanimously approved.

Respectfully submitted,

Barbara Blumer,
Administrative Secretary
Nuclear Waste Division