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**Congressman Doc Hastings**  
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**Contact:** Communications Director Charlie Keller

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### **Doc Hastings Presents Testimony to the Blue Ribbon Commission**

“Thank you for inviting me to join you today. As you know, Congress is in session and voting today which makes it impossible for me to be with you in person.

My views on the approach this Administration has chosen to take when it comes to terminating Yucca Mountain and setting the mission of the Blue Ribbon Commission are well known. The Commission was formed so that the Obama Administration could put off decisions about nuclear waste and spent nuclear fuel until after November, while at the same time illegally acting to shut down the national repository as quickly as possible.

Recognizing that a solution already exists, continuing to study this issue until Senator Reid gets the answer he wants and the Democrat Senate Majority Leader is safe for another 6 years is, in my view, the wrong approach.

Let me be clear, these remarks are not a reflection on any of the individual members of the Commission – but rather on the overall purpose and mission of the Commission, which was determined not by its members, but by President Obama and the Department of Energy.

I recognize the Commission is performing the task that was assigned. Yet, I remain troubled that the Commission has been given an impossible mission with unfair parameters– and I’m far from confident that wasn’t the precise intent.

The Tri-Cities is my hometown – I can literally see Hanford from my backyard. With the Hanford Site, the Pacific Northwest National Laboratory and Energy Northwest – the experience and expertise of this community when it comes to spent nuclear fuel and defense nuclear waste are simply unparalleled.

Here in the Tri-Cities we understand that nuclear power is safe and we are committed to cleaning up Hanford and shipping the high-level waste out of our state for permanent storage in the legally designated repository. That’s the plan, that’s the law and that was the commitment made to the State of Washington.

I understand that the Commission has had the opportunity to visit a portion of the 586 square mile Hanford Site this week. The magnitude of the waste at Hanford is widely known, but I’m hopeful that this visit provided a new appreciation not only for the volumes of waste – but also for the quality of cleanup work that is being accomplished and for the role that this entire

community has played in our nation's defense for decades.

In Congress, making certain that the federal government meets its legal cleanup obligations to our state and ensuring that Hanford cleanup moves forward as safely, quickly and efficiently as possible is a top priority.

A key part of that involves the tank wastes and the Waste Treatment Plant. In 1998, I wrote the law to create the Office of River Protection to ensure that cleanup of the waste stored in Hanford's underground tanks receives the focus and attention that is required. This model continues to work well and, while there are always challenges with a project of this magnitude, we are seeing real progress with the Waste Treatment Plant at over 50 percent complete.

Under the Nuclear Waste Policy Act, Yucca Mountain is unequivocally the national repository for high-level defense waste at Hanford and for commercial spent nuclear fuel. Congress has voted to reaffirm this decision several times.

Two weeks ago, the Atomic Safety and Licensing Board decided that the actions by the Department of Energy to withdraw the Yucca Mountain application were unfounded and denied their application. In addition, there is an ongoing legal battle between the Administration and parties affected by their decision to withdraw the Yucca Mountain application, including Washington state, Tri-Cities leaders and others.

Included in the Blue Ribbon Commission Charter is a charge to consider if additional legislation is needed. As part of this endeavor, I encourage the Commission to examine existing law, the clear intent of Congress and the decisions made by our judicial system.

The Blue Ribbon Commission Charter also states that members are charged with conducting a "comprehensive review of policies for managing the back end of the nuclear fuel cycle, including all alternatives for storage." Yet, Secretary Chu has said that Yucca Mountain is off the table.

Congress and our community are left wondering which it is: a comprehensive review, or one that eliminates the existing legal repository.

Regardless of the answer, it is impossible for anyone to come to Hanford and have an honest discussion about high-level nuclear waste without talking about Yucca Mountain.

I will continue developing bills, offering amendments and calling on Congress to take advantage of each and every opportunity it has to uphold the law and keep Yucca Mountain moving forward.

With more defense wastes slated to go to Yucca Mountain than any other state in the nation, the stakes for Washington could not be higher and the risks could not be more real.

Delaying or abandoning Yucca Mountain means that Hanford will be home to high-level defense wastes even longer, the federal government's legal commitment to our state won't be kept, and

cleanup progress at Hanford will be jeopardized.

The Waste Treatment Plant is a \$12 billion project that is being constructed to turn Hanford's high-level waste into stable glass that will be shipped to Yucca Mountain for permanent storage. The Plant is being built to meet the specific geological requirements of Yucca Mountain.

As a recent Tri-City Herald article noted, "terminating the Yucca Mountain repository could result in a need to tear down and rebuild portions of the \$12.2 billion Hanford vitrification plant, which is being built to treat Hanford's high level waste to meet the requirements of Yucca Mountain."

So, I would caution the Commission against taking the advice of some who claim that this problem can wait...that we don't have to decide now. The Waste Treatment Plant is being built right now – today. Billions have and are being spent. Changing the goalpost at halftime adds extraordinary risk to the Waste Treatment Plant and has the potential to waste limited cleanup dollars that are already difficult to secure.

I would also caution the Commission against taking the advice of some who say we can simply leave defense waste onsite in canister storage. This would break the federal government's commitments and leave Hanford on the hook for doing more without the additional funding that would be required.

Others claim that transporting the vitrified waste from Hanford to Yucca Mountain is not safe. I would simply note that the Department of Energy has already safely and successfully shipped plutonium from Hanford to South Carolina.

When it comes to commercial spent nuclear fuel, delaying or abandoning Yucca Mountain puts the future of non-emitting nuclear power in our nation at risk. By taking away the solution that already exists for spent nuclear fuel, the Obama Administration is handing those opposed to nuclear power new political ammunition and dealing the nuclear power industry a major setback.

As you know, the nuclear power industry continues to pay into the pot even as the Obama Administration halts work on the national repository. This is unfair to families and businesses and adds uncertainty to an industry that has the potential to ramp up, contribute to our national energy future and add high paying jobs in communities throughout the nation.

And, here in the Tri-Cities we are now faced with the question of if not Yucca Mountain, then where?

We know that Gable Mountain was one of the three finalists for a national repository. This community has the right to know clearly and definitively if it is back on the table as a national repository site.

The Commission has stated that it is not a site selection committee – however we know that one

site has been arbitrarily taken off the table. Consequently we are left to assume that everything else is on the table. Particularly since the Commission is looking at various geological mediums that exist only in a few places across the country – including here at Hanford.

Make no mistake, this is not a simple case of “not-in-my-backyard.” As the Commission can see from this visit, the Tri-Cities community is not afraid of nuclear and continues to do more than its fair share. However, science has proven that Yucca Mountain is the safest solution – period.

I would like to conclude with a few recommendations that I believe will improve this process.

First, push back against arbitrary limits on what the Commission can study.

Go to all of the other defense cleanup sites and visit Yucca Mountain - talk with the experts on the ground.

Include in the Commission’s report the scientific reasons why Yucca Mountain is not possible.

Talk with those building the Waste Treatment Plant.

Request a full accounting of the federal government’s legal liabilities and obligations regarding both defense waste and commercial spent nuclear fuel given the additional delay in opening a repository.

Clarify for the public if the Commission is studying all geological mediums – including those that exist at Yucca Mountain and at Hanford, and let the people here know if Hanford has been unilaterally taken off the table in the same way Yucca Mountain has.

And, finally I encourage the Commission to take the time to fully answer the questions posed by this community.

If the Commission has questions or would like additional information, I would be happy to meet with the Commission or alternatively would welcome written requests.

Again, thank you for the opportunity to share my thoughts.”