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David Boyd, Membership  
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## **Flagrant Disregard to the Nation's Ratepayers**

The Department of Energy's announcement in the Obama Administration's FY 2011 budget that it will withdraw the license application for the Yucca Mountain nuclear waste repository, and shut down the facility, is a flagrant disregard of over 20 years of scientific and technical review and \$10 billion in citizen investment. The untimely withdrawal of the application will strand spent nuclear fuel and high-level radioactive waste at 121 commercial and defense sites in 39 states for an indefinite period.

"When President Obama assumed office, he stated his administration would be based on the precepts of transparency, the rule of law, and preserving the integrity of science in public policy making and vowing to base decisions on 'science, not politics,' stated Commissioner David Wright. "This decision meets none of those tests."

The Nuclear Regulatory Commission's process for reviewing the license application provides for a professional, non-partisan review of the viability of the Yucca Mountain facility and a road map for determining the viability of other future storage facilities. Zeroing the funding for the disposal program forestalls any further progress, disregards Congress' mandate under the 1982 Nuclear Waste Policy Act, as amended, that the federal government will take responsibility for this waste.

The Department of Energy has discontinued several programs in the past; however, the funding for the disposal program is self-sustained through the Nuclear Waste Fund, paid by the rate payers from 41 states through their electric bills. Therefore, we call on the House and Senate leadership to immediately restore funding in the Department of Energy's FY 2011 budget, and compel the Department of Energy to carry out its mission as mandated by the Nuclear Waste Policy Act, by allowing the license application to proceed through the Nuclear Regulatory Commission review process in 2010 and beyond.

Although the appointees on the Blue Ribbon Commission announced by Secretary of Energy are distinguished in their background and national stature, they do not properly represent the stakeholders in the issue of high-level nuclear waste disposal. There are no representatives of any public utility commission, so there is no one representing the many millions of ratepayers who have paid approximately \$33 billion into the Nuclear Waste Fund. There are no representatives of the communities around Department of Energy sites that store tons of government used nuclear fuel and millions of gallons of high-level radioactive waste. There is only one representative of a company involved in the nuclear power industry.

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The NWSC is an ad hoc group of state utility regulators, state attorneys general, electric utilities and associate members representing 46 member/affiliate organizations in 26 states, committed to reforming and adequately funding the U.S. civilian high-level nuclear waste transportation, storage, and disposal program.