

SENATE JOINT RESOLUTION NO. 6—SENATORS TITUS, WIENER, SCHNEIDER, MATHEWS, CARLTON, AMODEI, CARE, COFFIN, JACOBSEN, JAMES, MCGINNESS, O’CONNELL, O’DONNELL, PORTER, RAGGIO, RAWSON, RHOADS, SHAFFER, TOWNSEND AND WASHINGTON

MARCH 7, 2001

JOINT SPONSORS: ASSEMBLYMEN PERKINS, BUCKLEY, GIBBONS, PARKS, BACHE, KOIVISTO, LESLIE, ANDERSON, ANGLE, ARBERRY, BEERS, BERMAN, BROWER, BROWN, CARPENTER, CEGAVSKE, CHOWNING, CLABORN, COLLINS, DE BRAGA, DINI, GIUNCHIGLIANI, GOLDWATER, GUSTAVSON, HETTRICK, HUMKE, LEE, MANENDO, MCCLAIN, MORTENSON, NEIGHBORS, NOLAN, OCEGUERA, OHRENSCHALL, PARNELL, PRICE, SMITH, VON TOBEL AND WILLIAMS

Declared an Emergency Measure

SUMMARY—Provides notice of disapproval to Congress if Yucca Mountain is recommended as site for repository for spent nuclear fuel and high-level radioactive waste. (BDR R-1159)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: No.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

SENATE JOINT RESOLUTION—Providing notice of disapproval to Congress and the President of the United States if Yucca Mountain is recommended as the site for a repository for spent nuclear fuel and high-level radioactive waste.

- 1 WHEREAS, Pursuant to the Nuclear Waste Policy Act of 1982, 42 U.S.C.
- 2 §§ 10101 et seq., as amended, the United States Department of Energy has
- 3 been studying Yucca Mountain in southern Nevada as a possible site for a
- 4 repository for spent nuclear fuel and high-level radioactive waste; and
- 5 WHEREAS, The Department of Energy continues to make unfounded
- 6 and biased assumptions about the suitability of Yucca Mountain as a
- 7 repository for spent nuclear fuel and high-level radioactive waste, despite
- 8 mounting scientific evidence that there are serious flaws at the site and that
- 9 Yucca Mountain cannot meet required health and safety standards; and



1 WHEREAS, A recently released memorandum from the Department of
2 Energy openly admits that the Department's site evaluation reports are not
3 aimed at determining whether Yucca Mountain can safely isolate deadly
4 radioactive waste from people and the environment, but rather are designed
5 to "sell" the project to members of Congress; and

6 WHEREAS, The Yucca Mountain Project is currently being investigated
7 by the Department of Energy's own Office of Inspector General because of
8 mounting evidence of possible bias in the Department's approach to site
9 characterization; and

10 WHEREAS, Certain members of Congress and supporters of the for-
11 profit, commercial nuclear power industry continue to press for legislation
12 that would allow spent nuclear fuel to be shipped to Nevada for
13 "temporary" storage even though Yucca Mountain has not been found to
14 be suitable as a repository; and

15 WHEREAS, Congress and the commercial nuclear power industry
16 continue to ignore the reality that neither Yucca Mountain nor the Nevada
17 Test Site are suitable locations for storing spent nuclear fuel and high-level
18 radioactive waste; and

19 WHEREAS, The promotion of new nuclear power plants under the guise
20 of responding to the electricity crisis facing California, as proposed in
21 energy legislation being considered in Congress, is irresponsible given that
22 the issue of safe disposal of the waste has not been resolved; and

23 WHEREAS, New and innovative approaches to the management of spent
24 nuclear fuel and high-level radioactive waste are needed before any actions
25 are taken that would result in the creation of new facilities that would add
26 to the waste problem; and

27 WHEREAS, The Department of Energy has announced that it plans to
28 make a recommendation regarding the suitability of Yucca Mountain as a
29 repository for spent nuclear fuel and high-level radioactive waste to the
30 President in 2001; and

31 WHEREAS, The Department of Energy has the opportunity to put the
32 nation back on course toward a credible, effective and fair approach to
33 dealing with the problem of spent nuclear fuel and high-level radioactive
34 waste by acknowledging that Yucca Mountain is not a suitable or safe
35 location for a repository, and recommending to the President that the site
36 be disqualified; and

37 WHEREAS, The Nuclear Waste Policy Act of 1982, as amended,
38 provides for the submission of a notice of disapproval by the Legislature or
39 Governor of the State of Nevada in the event the President recommends
40 Yucca Mountain for development as a repository for spent nuclear fuel and
41 high-level radioactive waste; and

42 WHEREAS, The Nuclear Waste Policy Act of 1982, as amended, also
43 provides that such a notice of disapproval shall cause Yucca Mountain to
44 be withdrawn from further consideration unless overridden by a majority in
45 both houses of Congress; now, therefore, be it

46 RESOLVED BY THE SENATE AND ASSEMBLY OF THE STATE OF NEVADA,
47 JOINTLY, That the Nevada Legislature protests, in the strongest possible
48 terms, the biased and blatantly political manner in which the Department of
49 Energy has conducted its evaluation of the suitability of Yucca Mountain



1 as the location of a repository for spent nuclear fuel and high-level
2 radioactive waste and the unconscionable use of so-called “scientific”
3 reports to openly promote the project with members of Congress and
4 others; and be it further

5 RESOLVED, That the Nevada Legislature calls on President George W.
6 Bush to veto any legislation that would attempt to locate a temporary or
7 interim storage facility for spent nuclear fuel in Nevada; and be it further

8 RESOLVED, That the Nevada Legislature calls on Spencer Abraham, the
9 Secretary of Energy, to abandon consideration of Yucca Mountain as a
10 repository site, initiate a process whereby the nation can again engage in
11 innovative and ultimately successful strategies for dealing with the
12 problems of spent nuclear fuel and high-level radioactive waste, and
13 oppose any effort to promote new nuclear power facilities until these new
14 solutions have been implemented; and be it further

15 RESOLVED, That the Nevada Legislature formally restates its strong and
16 unyielding opposition to the development of Yucca Mountain as a
17 repository for spent nuclear fuel and high-level radioactive waste and to the
18 storage or disposal of spent nuclear fuel and high-level radioactive waste in
19 the State of Nevada; and be it further

20 RESOLVED, That the Federal Government, its agencies and
21 instrumentalities is prohibited from establishing a repository for spent
22 nuclear fuel and high-level radioactive waste at Yucca Mountain without
23 the prior expressed consent of the Nevada Legislature or a cession of
24 jurisdiction pursuant to chapter 328 of the Nevada Revised Statutes, and
25 that such consent and cession are hereby withheld; and be it further

26 RESOLVED, That this resolution hereby constitutes notice of disapproval
27 from the Nevada Legislature pursuant to the Nuclear Waste Policy Act of
28 1982, 42 U.S.C. § 10136, as amended, should the President recommend to
29 Congress that Yucca Mountain be developed as a repository for spent
30 nuclear fuel and high-level radioactive waste; and be it further

31 RESOLVED, That this resolution becomes effective upon passage and
32 constitutes the official position of the Nevada Legislature; and be it further

33 RESOLVED, That the Secretary of the Senate prepare and transmit a copy
34 of this resolution to the President of the United States, the Vice President
35 of the United States as the presiding officer of the United States Senate, the
36 Speaker of the House of Representatives, the Secretary of Energy and each
37 member of the Nevada Congressional Delegation.

