

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

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, Ocegüera, Ohrenschall, Parnell, Price, Smith, Von Tobel and Williams

FILE NUMBER.....

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.

WHEREAS, Pursuant to the Nuclear Waste Policy Act of 1982, 42 U.S.C. §§ 10101 et seq., as amended, the United States Department of Energy has been studying Yucca Mountain in southern Nevada as a possible site for a repository for spent nuclear fuel and high-level radioactive waste; and

WHEREAS, The Department of Energy continues to make unfounded and biased assumptions about the suitability of Yucca Mountain as a repository for spent nuclear fuel and high-level radioactive waste, despite mounting scientific evidence that there are serious flaws at the site and that Yucca Mountain cannot meet required health and safety standards; and

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

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

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

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

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

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

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

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

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

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

RESOLVED BY THE SENATE AND ASSEMBLY OF THE STATE OF NEVADA, JOINTLY, That the Nevada Legislature protests, in the strongest possible terms, the biased and blatantly political manner in which the Department of Energy has conducted its evaluation of the suitability of Yucca Mountain as the location of a repository for spent nuclear fuel and high-level radioactive waste and the unconscionable use of so-called "scientific" reports to openly promote the project with members of Congress and others; and be it further

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

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

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

RESOLVED, That the Federal Government, its agencies and instrumentalities is prohibited from establishing a repository for spent nuclear fuel and high-level radioactive waste at Yucca Mountain without the prior expressed consent of the Nevada Legislature or a cession of

jurisdiction pursuant to chapter 328 of the Nevada Revised Statutes, and that such consent and cession are hereby withheld; and be it further

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

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

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