



SECRETARY

UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

September 28, 2022

The Honorable Dina Titus
United States House of Representatives
Washington, DC 20510

Dear Representative Titus:

I am responding to your letter of September 21, 2022, to Chair Hanson regarding the State of Nevada's September 20, 2022, request to lift the suspension of the Yucca Mountain high-level waste repository adjudication. In your letter, you request that the Nuclear Regulatory Commission "give full and fair consideration of the State of Nevada's motion" so that Nevada "may have its voice heard in this process."

The Commission has the Nevada request under advisement in its adjudicatory capacity; it will address the motion with due consideration to applicable law. Although the adjudication is suspended, it is still pending, and the Commission cannot discuss or comment on the issues involved in the matter, including those raised in your letter.

A copy of your letter and this response will be served on the participants in the Yucca Mountain proceeding.

Sincerely,

A handwritten signature in black ink that reads "Brooke P. Clark".

Brooke P. Clark



SECRETARY

UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

September 28, 2022

The Honorable Steven Horsford
United States House of Representatives
Washington, DC 20510

Dear Representative Horsford:

I am responding to your letter of September 21, 2022, to Chair Hanson regarding the State of Nevada's September 20, 2022, request to lift the suspension of the Yucca Mountain high-level waste repository adjudication. In your letter, you request that the Nuclear Regulatory Commission "give full and fair consideration of the State of Nevada's motion" so that Nevada "may have its voice heard in this process."

The Commission has the Nevada request under advisement in its adjudicatory capacity; it will address the motion with due consideration to applicable law. Although the adjudication is suspended, it is still pending, and the Commission cannot discuss or comment on the issues involved in the matter, including those raised in your letter.

A copy of your letter and this response will be served on the participants in the Yucca Mountain proceeding.

Sincerely,

A handwritten signature in cursive script that reads "Brooke P. Clark".

Brooke P. Clark



SECRETARY

UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

September 28, 2022

The Honorable Susie Lee
United States House of Representatives
Washington, DC 20510

Dear Representative Lee:

I am responding to your letter of September 21, 2022, to Chair Hanson regarding the State of Nevada's September 20, 2022, request to lift the suspension of the Yucca Mountain high-level waste repository adjudication. In your letter, you request that the Nuclear Regulatory Commission "give full and fair consideration of the State of Nevada's motion" so that Nevada "may have its voice heard in this process."

The Commission has the Nevada request under advisement in its adjudicatory capacity; it will address the motion with due consideration to applicable law. Although the adjudication is suspended, it is still pending, and the Commission cannot discuss or comment on the issues involved in the matter, including those raised in your letter.

A copy of your letter and this response will be served on the participants in the Yucca Mountain proceeding.

Sincerely,

A handwritten signature in cursive script that reads "Brooke P. Clark".

Brooke P. Clark

Congress of the United States

Washington, DC 20510

September 21, 2022

The Honorable Christopher T. Hanson
Chairman
U.S. Nuclear Regulatory Commission
Mail Stop O-16 B33
Washington, D.C. 20555-0001

RE: Yucca Mountain License Proceeding

Dear Chairman Hanson,

We write today to strongly urge the Nuclear Regulatory Commission (NRC) to give fair and full consideration to the State of Nevada's motion to reopen the licensing proceeding to consider motions for summary disposition related to the Yucca Mountain Nuclear Waste Repository. Since September 2011, the NRC adjudicatory process has been on hold, and these motions would initiate the process to lift the suspension and give the Commission the opportunity to vote on the Yucca Mountain license application.

The relationship between the Department of Energy (DOE) and State of Nevada has long been a difficult and painful one. For over three decades, the Department of Energy has left open the possibility of Nevada's becoming the dumping ground for the nation's nuclear waste. From the time the Nuclear Waste Policy Act was signed into law in 1987, there has been resounding disapproval by Nevadans.

Since the license application has been on hold, our State faces an uncertain future of not knowing whether hazardous nuclear waste will be forced upon us.

There are also significant financial implications for the State and the country. In 2008, the Department of Energy estimated that without major interruptions, it would take \$1.66 billion just to complete the multi-year process for receiving construction authorization. If that were to happen, the Government Accountability Office (GAO) estimates that construction of Yucca Mountain would cost between \$75 billion and \$119 billion.

This construction estimate does not account for the costs of transporting highly radioactive nuclear waste through 44 States and the District of Columbia, including 330 Congressional Districts. With an estimated 100,000 trucks needed to transport the waste, that would amount to an average of 4-6 trucks per day, every day, for 50 years.

Due to the safety, financial, and environmental implications for Nevada, we strongly urge your fair and full consideration of the State of Nevada's motion so that our State may have its voice heard in this process. We know you have a difficult task ahead of you as you make this critical decision. If you require further information, please do not hesitate to contact any of us, or our staff at your convenience.

Sincerely,



Dina Titus
Member of Congress



Steven Horsford
Member of Congress



Susie Lee
Member of Congress

CC: The Honorable Jeff Baran – Commissioner, U.S. Nuclear Regulatory Commission
The Honorable David A. Wright – Commissioner, U.S. Nuclear Regulatory Commission
The Honorable Bradley Crowell – Commissioner, U.S. Nuclear Regulatory Commission
The Honorable Annie Caputo – Commissioner, U.S. Nuclear Regulatory Commission
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National Association of Regulatory Utility Commissioners
Native Community Action Council
Aiken County, South Carolina
Nuclear Energy Institute
Prairie Island Indian Community
Joint Timbisha Shoshone Tribal Group
Lincoln County, Nevada
Four Counties (Churchill, Esmeralda, Lander, Mineral), Nevada

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

In the Matter of

U.S. DEPARTMENT OF ENERGY
(High-Level Waste Repository)

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Docket No. 63-001-HLW

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing **Letters from Secretary Brooke P. Clark to Representatives Titus, Horsford, and Lee** have been served upon the following persons by Electronic Information Exchange and by e-mail.

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Construction Authorization Board 04 (CAB04)

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U.S. DEPARTMENT OF ENERGY (High Level Waste Repository) Docket No. 63-001-HLW
Letters from Secretary Brooke P. Clark to Representatives Titus, Horsford, and Lee

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**U.S. DEPARTMENT OF ENERGY (High Level Waste Repository) Docket No. 63-001-HLW
Letters from Secretary Brooke P. Clark to Representatives Titus, Horsford, and Lee**

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U.S. DEPARTMENT OF ENERGY (High Level Waste Repository) Docket No. 63-001-HLW
Letters from Secretary Brooke P. Clark to Representatives Titus, Horsford, and Lee

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U.S. DEPARTMENT OF ENERGY (High Level Waste Repository) Docket No. 63-001-HLW
Letters from Secretary Brooke P. Clark to Representatives Titus, Horsford, and Lee

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Office of the Secretary of the Commission

Dated at Rockville, Maryland
this 28th day of September 2022