

**Statement of Congresswoman Shelley Berkley
Subcommittee on Energy and Air Quality
“Funding Options for the Yucca Mountain Repository Program”
Washington, D.C.
March 10, 2005**

I would like to thank Chairman Hall and Ranking Member Boucher for allowing me to testify today.

Our nation is facing \$550 billion deficits that have left vital programs, such as education, health care, and veterans benefits underfunded. We should be focusing on these important programs because they help the greatest number of people. Not projects, such as the Yucca Mountain repository, which has already cost billions and has a ballooning pricetag of \$58 billion to \$308 billion.

Despite multiple lawsuits challenging the site, unresolved scientific issues, findings establishing that the storage canisters at Yucca Mountain will corrode and release radioactive waste into our groundwater, and enormous terrorist risks this plan creates if waste is shipped across the nation, the Administration continues to push recklessly ahead with this project.

The U.S. Court of Appeals—the second highest court in the nation, ruled that the radiation standard for the proposed nuclear waste dump is not based on sound science and will not protect the health and safety of the American people.

The Court found that the Environmental Protection Agency blatantly disregarded the findings of the National Academy of Sciences (NAS) that radiation levels will reach their peak in 300,000 years, and instead set a 10,000 year radiation standard. Rather than incorporating the findings of the NAS when crafting safety guidelines, the Bush Administration ignored the law and knowingly ordered EPA to draft a radiation standard based not on science, but an arbitrary period of 10,000 years.

The gap between the science and the EPA standard? A mere 290,000 years!

The proposal to reclassify contributions to the Nuclear Waste Trust Fund as offsetting collections is shortsighted and fiscally irresponsible. Not only does this budget gimmick funnel money into a project plagued with problems, it also bypasses budgetary rules that have been set forth in order to maintain the integrity of our appropriations process.

I remind you that we rarely seek waivers for the funding of critical programs, such as the ones I mentioned before—education and healthcare, as we are doing for the Yucca Mountain Project.

Another plan proposes to move the Yucca Mountain Project off-budget. This reckless proposal would dedicate all current and future proceeds of the Nuclear Waste Fund to the Yucca Mountain Project. This project is in a downward spiral, and throwing more money at this problem-ridden albatross will not fill the gaps in the science, because the science is

not there. It will not change the fact that Yucca Mountain is prone to regular seismic activity and threatened by volcanic activity.

It will also not change the fact that it is impossible to safely transport 77,000 tons of radioactive waste across the United States through 43 states, and perhaps as many as 360 Congressional districts, for the next 30 to 40 years. Nuclear waste shipments will pass within miles of our homes, places of worship, schools, and hospitals.

To guarantee such a massive amount of funding without proper oversight is an invitation for waste and abuse. With looming deficits, we must ensure that every dime of taxpayer money is spent responsibly.

Instead of walling off funds from the Nuclear Waste Disposal Program, we should be investing in alternative methods to safely dispose of high level radioactive waste. We should also be endowing programs for the research and development of cleaner forms of energy, such as renewables, not problem-ridden projects like Yucca Mountain that create potential risks to our communities.

Yucca Mountain is unprecedented in its scope and nature, as well as the potential harmful consequences on the health and safety of millions of Americans. A project of this magnitude must undergo congressional scrutiny at every stage in order to ensure the safety of our public.

The Department of Energy has consistently changed regulations and reduced standards in order to railroad Nevadans and push the Yucca Mountain Project through. These funding proposals are just another example of changing the rules to accelerate a project that lacks sound science.

Funds for Yucca Mountain should have to compete with our need to expand clean energy sources. At a time when energy markets are volatile and the cost of gas is skyrocketing, our nation must scrutinize every dollar spent on the Yucca Mountain Project. We should invest our resources to strengthen and diversify clean energy sources, not invest billions in nuclear energy technology, a 20th Century energy solution in a 21st Century world that has a deadly byproduct.

Congress should also be using the same vigor to fill the gaps in funding for education, health care and veterans programs. Given the overwhelming needs in our nation and the limited resources at our disposal, it makes absolutely no sense to give special treatment to the Yucca Mountain Project at the expense of millions of Americans.

I urge the Members of the Subcommittee to reject any proposal that would skirt the appropriations process and reduce necessary congressional oversight.