



COMMITTEE ON *DEMOCRATS*  
**ENERGY & COMMERCE**  
RANKING MEMBER FRANK PALLONE, JR.

**FOR IMMEDIATE RELEASE**

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Click [here](#) to watch the hearing. Additional materials, including a background memo and witness testimony, can be found [here](#).

**Statement of Ranking Member Frank Pallone, Jr., as prepared for delivery  
Committee on Energy and Commerce  
Subcommittee on Environment and the Economy  
Hearing on “Update on the Current Status of Nuclear Waste Management Policy”**

Thank you Chairman Shimkus and Ranking Member Tonko for holding today’s hearing.

Much has changed since the Nuclear Waste Policy Act became law in 1982, which allowed the Secretary of Energy to remove spent nuclear fuel from commercial nuclear power plants, in exchange for fees, and transport it to a permanent geologic repository.

For instance, the original law, which established an objective, scientifically-based process for selecting two repository sites was amended in 1987 to designate Yucca Mountain, Nevada as the sole site to be considered for a permanent geologic repository. The law also made the Nuclear Waste Fund subject to the annual appropriations process, resulting in a failure of DOE to meet its contractual obligations to take title to, transport and dispose of nuclear fuel.

In the 1990s, Congress engaged in a number of bipartisan, yet unsuccessful efforts to authorize interim storage. Still, efforts continued on Yucca site characterization by both the Clinton and Bush Administrations.

Finally, in June 2008, the Department submitted an application to the NRC for authorization to construct the Yucca Mountain nuclear waste repository.

Despite this application, a couple of years later, the current Administration came to the conclusion that Yucca Mountain was unworkable, attempted to withdraw the license application, and created a Blue Ribbon Commission to determine the future of our nuclear waste program.

That's a lot of change over the past few decades, but very little progress. Unfortunately, the one thing that remains constant is the program's failure to the ratepayers who have paid into the fund. This also applies to the taxpayers who are now having to pay damages through the judgement fund administered by DOJ.

In New Jersey, we have several operating nuclear reactors that provide carbon-free electricity. This includes Oyster Creek, the nation's oldest operating plant, which will soon stop providing power, but will continue to provide a home to spent nuclear fuel long into the future unless we can come together on a plan to fix this program.

My point is this: I'm not interested in litigating the wisdom of the Administration's actions with regard to Yucca Mountain because I don't believe that to be an exercise that will help move waste out of New Jersey, Illinois, New York, Michigan or anywhere else.

I hope that this Committee will put the ratepayer and taxpayer first and focus on efforts that can be enacted into law and that will move us forward over the next few years. I'm encouraged by recent developments on potential consensus sites for interim storage in Texas and New Mexico and we should look closely at the prospects they offer. That in no way means we should curtail our push for a permanent repository, but I do believe the best path forward is to work to identify steps we can take now to set the stage for real reform on permanent disposal in the future, regardless of where the disposal facility ends up being sited.

Again, thank you for holding this hearing and I look forward to hearing from our witnesses and working with all of my colleagues, stakeholders and the administration to put our nation's nuclear waste program back on track.

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