



THE WEEKLY CLOSER

U.S. SENATE ENVIRONMENT AND PUBLIC WORKS COMMITTEE
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QUOTE OF THE WEEK...

“Dillenback saw even more detailed information about her family on Stop Huntingdon Animal Cruelty’s Web site, such as the name of her son’s teacher and the fact that the boy sings in the choir. ... She broke into tears on the stand as she recounted an anonymous e-mail that threatened to cut open her son and fill him with poison ‘the way Huntingdon does with the animals.’”

[“Animal activists stalked children”](#)

Jeffrey Gold
Associated Press
March 3, 2006

KEYSTONE PROCESS REAFFIRMS NEED FOR ESA UPDATE; COMMITTEE TURNS TO FINALIZING BIPARTISAN LEGISLATION

Chairman Inhofe praised the efforts of participants in the Keystone Center dialogue last week and outlined the next step in the Committee’s legislative process for modernizing elements of the Endangered Species Act (ESA). Last Friday, Chairman Inhofe, and five other Senators who requested the Keystone Center’s assistance, received a letter from Keystone reporting the completion of its process and areas of consensus. In the letter, the group reaffirmed the need for Congress to move forward and “take steps that would improve the law’s effectiveness for the species at risk, make government activities more efficient, and reduce the concerns of regulated parties.” The letter presents Keystone’s best characterization summarizing the process and basic outcomes in advance of the release of its full report, expected toward the end of this month.

The Keystone group also reported that it was unable to reach a consensus solution with regard to the utility of critical habitat designations, a component of endangered species protection that has proven to be questionable, prompting the House of Representatives to take action in its versions of ESA legislation.

“We truly appreciate the efforts of those who contributed to the Keystone process,” Senator Inhofe said. “The Keystone group has reached a consensus that the current framework of the ESA is in need of repair to improve its effectiveness and efficiency, and we will work to draft a bipartisan bill with that guidance in mind. While it is disappointing that a final agreement could not be

NEXT WEEK...

[March 9, 2006](#)

Subcommittee on Clean Air, Climate Change, and Nuclear Safety: A hearing to conduct oversight of the Nuclear Regulatory Commission.

reached with regard to critical habitat designations, despite the additional time taken to deliberate, it is now clear that the Senate should act to complete the legislative process begun last year in the House and present a strong bipartisan bill that will deliver results for the investments we make every day to protect our lands and wildlife.

“I look forward to working with Senators Chafee, Jeffords and Clinton to present a bill for mark-up by the end of next month.”

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INHOFE CONCERNED WITH GAO RECOMMENDATIONS ON CHEMICAL SECURITY

Chairman Inhofe Tuesday expressed concerns with recommendations from the Government Accountability Office (GAO) calling for the consideration of safer technologies to improve security at chemical facilities as well as the involvement of the Environmental Protection Agency in studying potential impacts.

“The issue of chemical security is an issue of security, not environmental protection,” Senator Inhofe said. “To recommend involving the Environmental Protection Agency runs counter to what we should be accomplishing in terms of enhancing protections at chemical plants and other facilities. The GAO recognized the extensive efforts being taken by the Department of Homeland Security to secure this critical infrastructure.

“DHS has indicated to GAO its belief that a move toward safer technologies would not improve security at chemical facilities, but only ‘shift risks rather than eliminate them.’ This is an important point to keep in mind. IST is a concept environmental special interests have been promoting since well before September 11th. It is not a solution for improving security, and DHS opposes its use as such.

“DHS continues to work diligently and cooperatively with industry to identify and secure potential vulnerabilities, and Congress should not write legislation that would effectively undo those good efforts. Those of us on the Environment and Public Works Committee have several years of experience with this issue, and we will be watching with great interest how legislative efforts may unfold.”

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OPENING STATEMENT BY CHAIRMAN INHOFE: OVERSIGHT HEARING ON THE STATUS OF THE YUCCA MOUNTAIN PROJECT

March 1, 2006

The hearing will come to order.

Today is our first oversight hearing on the status of Yucca Mountain, the designated site for the long-term storage of high level nuclear waste. We have before us today both the Department of Energy and the Environmental Protection Agency, as well as other interested parties. We will be looking at a number of issues including the status of EPA's revised proposed standard.

The way the process is supposed to work is for DOE to construct and operate the site, in accordance with the radiation standards that EPA sets, and the NRC is to regulate the facility. This Committee has the sole jurisdiction over the EPA and the NRC, and it is our responsibility to ensure that this site moves forward in accordance with the law, and that we can start shipping waste there as soon as practicable.

After personally visiting this site, I strongly support the storage of nuclear waste at Yucca Mountain, and I encourage all members of the Committee to visit the location. It is amazing the amount of research that has been conducted on this site. It is certainly the most well studied mountain in the world.

How can we not support this site which has gained both national and international scientific peer approval with over 20 years and \$8 billion dollars worth of scientific, environmental and engineering field work? How many more thousands of rock samples do we need to further re-confirm what is already known about this site's engineered and natural barriers ability to safely contain radioactive materials for thousands of years?

The Nuclear Waste Policy Act of 1982 required the Department of Energy to provide a federal repository for used nuclear fuel no later than January 31, 1998. Here we are seven years after that deadline and there is still no central repository for spent nuclear fuel. In fact, according to current scheduling projections, the placement of waste underground at the Yucca site would not take place until 2015 at the earliest, and then only if it receives full regulatory approval and the budget requests are met. That leaves the United States at least 17 years behind schedule.

Meanwhile, millions of American families and businesses have been paying twice for this delay in storing used nuclear fuel. They pay once to fund the federal management of used nuclear fuel at a central repository and again when electric utility companies have to build additional temporary storage capacity at nuclear power plant sites because the federal government did not meet its obligation to begin moving the used fuel in 1998.

As a result, since 1983, American consumers have paid approximately \$18 billion to this Nuclear Waste Fund through add-ons to their utility bills with nothing to show for it. Still, the federal government continues to collect nearly \$700 million a year from electricity consumers. Future generations of Americans, our children and grandchildren, will pay a high price for continued inaction. We owe it to the American people to do better.

Nuclear energy makes up roughly 20% of our nation's energy mix. If we are going to continue to grow this economy we need to take the pressure off of natural gas, expand our nuclear capacity, and increase our use of clean coal. In

order to expand our nuclear capacity we have to solve the waste issue, which appears to be more of a political issue than a scientific issue.

In addition to the Federal agencies we will hear from several scientists, the State of Nevada, and Senator Reid, a former member and briefly Chairman of this Committee, in addition to being the minority leader. Finally I would like to point out to my colleagues that we decided against having the NRC testify today on the Federal panel since they will be regulating DOE. We will have them next week at a Nuclear Safety Subcommittee hearing chaired by Senator Voinovich, if members have specific questions for them about Yucca Mountain.

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COMMITTEE RELEASES REPORT TO THE CHAIRMAN REGARDING YUCCA MOUNTAIN

The Majority Staff of the Senate Committee on Environment and Public Works Wednesday released its report, *Yucca Mountain: The Most Studied Real Estate on the Planet*, to Chairman Inhofe addressing the analyses conducted at the site, scientific issues, and the regulatory and legal challenges related to the site. Based on scientific conclusions after decades of study, the Committee's report "supports opening Yucca Mountain without further delay as a critical component to nuclear renaissance and energy security in the United States."

"I appreciate the time and hard work our Committee staff put into completing this important report," Senator Inhofe said. "The findings indicate that it is time to move to the next phase of the Yucca Mountain project, and that is to begin the licensing process.

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"Nuclear energy makes up roughly 20% of our nation's energy mix. If we are going to continue to grow this economy we need to take the pressure off of natural gas, expand our nuclear capacity, and increase our use of clean coal. In order to expand our nuclear capacity we have to solve the waste issue, which appears to be more of a political issue than a scientific issue."

The report to the chairman addresses five topics:

History

- 50 years of international scientific study of nuclear waste disposal

- options
- The Nuclear Waste Policy Act of 1982 – Narrowing the options
- The Nuclear Waste Policy Act of 1987 – Focusing study on the best option
- 20 Years of Intensive Site Characterization Studies at Yucca Mountain
- The 2002 approval of Yucca Mountain – A decision based on sound science
- The Courts reject litigation challenging the 2002 Yucca Mountain approval

Margin of Safety

- The most stringent radiation protection standards ever imposed
- Conservative assumptions
- Risks in perspective
- Cautiously looking into the future

Yucca Mountain Performance Assessment – Current State of Knowledge

- Water infiltration into Yucca Mountain is low and well understood
- Multiple Barriers will provide defense-in-depth protection
- Key Technical Issues have been resolved

Future Reviews of Project and Oversight

- Rigorous NRC licensing process lies ahead
- Monitoring and retrievability will provide for future enhancements
- Ongoing research and development on improved waste forms

Conclusion: A Time to Move Forward – Further Delay Is Not an Option

- Extensive studies consistently show Yucca Mountain to be a sound site for nuclear waste disposal
- The cost of not moving forward is extremely high
- Nuclear waste disposal capability is an environmental imperative
- Nuclear waste disposal capability supports national security
- Demand for new nuclear plants also demands disposal capability

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IN THE NEWS...

Associated Press

Animal activists stalked children

By Jeffrey Gold

March 3, 2006

TRENTON, N.J. -- Sally Dillenback's son used to crouch by the door

brandishing a 5-inch kitchen knife when the doorbell rang, promising to protect his mommy.

The 7-year-old “told me not to worry,” she testified last month. “He said he was going to get the animal people.”

The “animal people” referred to animal-rights activists who waged a campaign of threats and vandalism against a company that tests drugs and household products on animals. On Thursday, an animal-rights group and six members were convicted of using their Web site to incite the harassment.

The group posted information about the lab’s employees and those who did business with Huntingdon Life Sciences, including their home phone numbers, addresses and where their children attended school.

Many were besieged by protesters parading with photos of mutilated animals and screaming “Puppy killer!” through megaphones at all hours outside their homes.

Dillenback saw even more detailed information about her family on Stop Huntingdon Animal Cruelty’s Web site, such as the name of her son’s teacher and the fact that the boy sang in the choir.

E-mail threatened 7-year-old

She broke into tears on the stand as she recounted an anonymous e-mail that threatened to cut open her son and fill him with poison “the way Huntingdon does with the animals.”

The defendants were convicted of animal enterprise terrorism, stalking and other offenses. They face three to seven years in prison and fines up to \$250,000. . . .

Click [here](#) for the full text of the article.

**Bill Holbrook, Communications Director
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