



Cross-posted at [CPRBlog](#).

Last August, [Dan announced](#) “The Death of Yucca Mountain,” pointing to a news story in which Senator Harry Reid (D - Nev.) declared that he had dealt a fatal blow to plans to store high-level radioactive waste in a repository there.

The Department of Energy sought to pull the plug on the project once and for all early this month, when it filed a [motion to withdraw](#) its application to the Nuclear Regulatory Commission for a license for a Yucca Mountain geological repository. The motion declares that

the Secretary of Energy has decided that a geologic repository at Yucca Mountain is not a workable option for long-term disposition of these materials.

It seeks dismissal of the application with prejudice,

because [DOE] does not intend ever to refile an application to construct a permanent geologic repository for spent nuclear fuel and high-level radioactive waste at Yucca Mountain.

But the storage question remains, and not everyone agrees that Yucca Mountain is not the right answer. [Reuters reports](#) that

A bipartisan group of lawmakers unveiled a resolution of disapproval in the House of Representatives on Tuesday aimed at making the department stop efforts to shelve the project and maintain all records relating to the proposed storage site.

Lawmakers on a House Appropriations subcommittee grilled Energy Secretary Steven Chu about plans to cancel the repository at Yucca Mountain.

The Obama administration is in an awkward position on this question. The President has repeatedly proclaimed his administration's commitment to expanding the nation's nuclear energy generating capacity. For example, when he directed Secretary of Energy Steve Chu to appoint a Blue Ribbon Commission on America's Nuclear Future (see [Steve's post](#) about the Commission), President Obama wrote:

Expanding our Nation's capacity to generate clean nuclear energy is crucial to our ability to combat climate change, enhance energy security, and increase economic prosperity. My Administration is undertaking substantial steps to expand the safe, secure, and responsible use of nuclear energy. These efforts are critical to accomplishing many of my Administration's most significant goals.

But a nuclear energy program requires some provision for dealing with spent fuel, and Yucca Mountain looks like the only permanent disposal facility that could be ready in the foreseeable future.

In 1982, Congress promised in the Nuclear Waste Policy Act that the US would develop a permanent storage facility and accept spent fuel from civilian reactors no later than January 31, 1998. A series of court decisions have held that the US has breached contracts with utilities by failing to honor that promise. Settlements and awards have totaled more than \$1 billion already, and could go much higher. To make matters worse, it turns out that late in 2008, just before the presidential transition, [DOE agreed to take the waste from 21 new nuclear plants](#) within fifty years of their commissioning.

It's not at all clear where that waste will go. The new contracts will require a second facility the size of that envisioned, and now apparently aborted, at Yucca Mountain. The NWPA was amended in 1987, after years of political wrangling had eliminated all the other areas under consideration, to forbid DOE from pursuing a permanent storage facility anywhere else without specific Congressional authorization.

That's not to say that Yucca Mountain is a great choice. Safety concerns have been raised, and the growth of Las Vegas after the site was selected have left it far less isolated than had initially been assumed.

But is any other solution to the siting problem politically possible?

That's the key question facing the Blue Ribbon Commission on America's Nuclear Future at its first meeting today and tomorrow (Miller-McCune has a good [background article](#) on the meeting). The [agenda](#) is all about spent nuclear fuel, from the military, civilian reactors, and other sources. There appear to be three possible choices: reprocessing, longer term on-site storage, or replacing Yucca Mountain with one or more new long-term repository sites. None of those choices is particularly attractive, and none seems like an easy political sell. But if the Obama Administration wants to make expanded nuclear power part of its energy policy, it needs to deal forthrightly at the front end with what will be done with the waste on the back end.