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Olympia-- Attorney General Rob McKenna today announced Washington has filed [its petition](#) to intervene in the Yucca Mountain licensing proceeding before the Nuclear Regulatory Commission.

The state's petition opposes [the motion filed by the federal Department of Energy \(DOE\) today](#) to withdraw "with prejudice" its license application for the Yucca Mountain radioactive waste repository. If successful, this move by DOE could unilaterally preclude any further consideration of that site as a nuclear waste repository.

"The people of Washington did their part to help America win World War II and the Cold War—and it's long overdue for the federal government to do its part to ensure our state can complete the clean-up process at Hanford," McKenna said. "Permanently removing Yucca Mountain as the nation's primary nuclear waste repository significantly sets back cleanup at Hanford – and puts at risk both our state's environment and its people."

In 2002, Congress designated Yucca Mountain as the nation's sole current repository site for deep geologic disposal of high-level radioactive waste and spent nuclear fuel. Congress directed DOE to file a license application for the Yucca Mountain site with the Nuclear Regulatory Commission (NRC) and thereby commence a formal evaluation and licensing process overseen by the NRC.

If the Department of Energy succeeds in withdrawing its license application with prejudice, Yucca Mountain could be permanently removed from consideration as the nation's geologic repository for high-level radioactive waste.

Washington's petition to intervene in the licensing proceeding before the NRC's Atomic Safety and Licensing Board is the state's next step in an ongoing process to protect Washington's interests and ensure that the Yucca Mountain site continues to be evaluated as Congress directed.

In its petition, Washington argues that the Nuclear Waste Policy Act requires DOE and the NRC to undertake a licensing process for Yucca Mountain. Washington argues that under the Nuclear Waste Policy Act, neither the DOE nor the NRC have the legal authority to terminate that licensing process prematurely and in a manner that forever forecloses it from being reopened.

Between 1944 and 1989, the US produced plutonium for use in nuclear weapons at the DOE's Hanford Nuclear Reservation in the Tri-Cities. Washington hosts and oversees the cleanup of nearly two-thirds of the nation's defense-related, high-level radioactive waste at Hanford.

Roughly 53 million gallons of nuclear waste is stored in 177 large underground tanks—of which 149 are 42 years beyond their expected 25-year design life. Of the 149 tanks, more than one-third are known or suspected to be leaking, releasing roughly 1 million gallons of waste to Hanford's surrounding soils. Hanford lacks the storage capacity to retrieve the waste from these tanks until the waste treatment and disposal process is underway.

Washington's \$12.3 billion Waste Treatment Plant (WTP) continues to be designed and constructed to meet standards specific to the Yucca Mountain facility. Design and engineering for the WTP is 78 percent complete and construction is 48 percent complete.

Termination of the Yucca Mountain repository could result in the need to tear down and rebuild portions of the WTP to implement design and engineering changes necessary to meet another repository's waste acceptance criteria, resulting in significant costs and delays in Hanford's entire tank