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**Board of County Commissioners  
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March 8, 2018

Dan Schinhofen - Nye County Commissioner  
Talking Points  
Nevada Legislative Committee on High-Level Radioactive Waste  
March 20, 2018

Thank You Chairman Flores and the Honorable Members of the Committee for the opportunity to speak to you today.

I recently submitted an editorial to the Reno newspaper, I have attached a copy but I would like to refresh your memory and make a few points.

After many years of studies and science, DOE and the National Labs determined that a repository at Yucca Mountain could be done safely. They made a recommendation to the Administration to move forward with Yucca.

The Secretary of Energy and the president had their advisors review the Science behind the recommendation and submitted it to Congress. Congress in rare Bi-Partisan Fashion over rode the State of Nevada's Veto.

The independent NRC Staff reviewed the license application and issued the Safety Evaluation Reports that determined the DOE license application meets the requirements in the law, that is, that it can meet the safety standards.

We recognize that the State of Nevada disagrees with the DOE, the National Labs and the NRC. Nevada has been successful in delaying things but not stopping it. Yucca Mountain still is, and has been law since 1987.

Resuming the licensing proceeding will give everyone the opportunity to hear the science behind the State's objections. If any of those are valid, then we are confident the NRC will not approve the license.

But there is a good a chance it will be found safe and it will move forward over the state's objections.

HR 3053, which was voted out of committee by a 49 to 4 vote in support, addresses many of the State's concerns, including transportation routes that avoid the Las Vegas Valley and offers significant financial benefits.

If Nevada acts smartly, we, Nevada, have the opportunity to get safeguards and benefits included in the design, construction, operation and closure processes.

There are opportunities to negotiate for money for education, health care and infrastructure.

There are opportunities to negotiate for water, jobs and lower taxes.

Yucca Mountain is a 90 billion dollar project that would require thousands of additional highly paid local workers, and further support Nevada's economy.

I have also attached for the record a paper that discusses some of the opportunities that await the State and people of Nevada should Nevada enter into legally binding agreements with the Federal Government.

Our view is consistent with the opinion polls that have been done in the state, the people want the leaders in the state to be reasonable and negotiate for the best deal.

We ask that this committee and the State of Nevada should support completion of the license review and appoint a working group to negotiate with the Trump Administration and Congress?

Thank you for allowing me to present the views of Nye County.

Sincerely,

A handwritten signature in black ink, appearing to read 'Dan Schinhofen', with a stylized, wavy line extending from the end.

Dan Schinhofen,  
Commissioner, District 5

DS/cs

Enclosures: As stated

cc: Joe Ziegler, Cash Jaszczak, Michael Voegele, Darrell Lacy, Arnold Knightly

## Attachment 1

Majority of Nevadans want to consider nuclear waste repository:  
Dan Schinhofen

Thank you to the Reno Gazette Journal for the thoughtful poll on the issue of Yucca Mountain ("Should Nevada continue to fight Yucca nuclear waste repository?", Feb. 20). While many of the state's elected officials and its representatives in Washington, D.C. insist Nevadans don't want the project, your poll tells a different story. A story closer to what we in Nye County, where the project is located, hear: Many Nevadans are open to a discussion about the nuclear repository and the economic benefits it would bring to Nevada.

According to your poll, 29.3 percent of respondents believe the project, along with reprocessing, would be great for the Nevada economy, 17.7 percent responded that Yucca Mountain should be considered if there is a better deal for Nevada, and 6.4 percent say Nevada should do it for national security reasons. That is 53.4 percent having an interest in discussions about the Yucca Mountain project moving forward.

That's compared to the 43.4 percent who responded that the state should continue to fight the project.

U.S. Sen. Catherine Cortez Masto is quoted underneath the poll as stating, "The people of Nevada have spoken, and they've spoken loud and clear — Nevada will not be home to a nuclear waste dump."

That statement is apparently not true. And it's not just your poll. In 2015, another poll conducted by Political Marketing International Inc. in Southern Nevada found 55 percent believed "that Nevadans should be open to having a discussion about Yucca."

Instead of the state continuing to spend taxpayer money to fight the project, such as the \$5.1 million recently approved to hire an out-of-state law firm, the state should engage in the licensing process to receive a better deal overall for Nevada.

Despite your own poll numbers, the Gazette Journal Editorial Board on Thursday, March 1, encouraged the state to "keep up the fight against nuclear waste." The reason for the board's stance is, "because once again, Nevada is being kept on the sidelines of the discussion."

The lack of negotiation is entirely the fault of the State of Nevada. Then-State Attorney General Brian McKay said over 30 years ago that negotiation would be implied consent and the state politicians have used that as the excuse ever since.

Nye County has consistently held that we cannot make a final decision until the licensing process is complete and the safety questions have been answered. Then if the project can be done safely, we owe it to the citizens of Nevada to have a discussion about mitigation and benefits before the final decision is made.

Most recently U.S. Rep. John Shimkus (R-Illinois) tried to address many of Nevada's concerns in the Nuclear Waste Policy Amendments Act of 2017. This bill has passed out the committee with overwhelming bipartisan support. We have not heard the last of this bill and it provides for benefits and a negotiation process. It even specifically addresses one of the biggest issues in the state by avoiding the Las Vegas valley with all transportation routes.

It is time to stop the unfounded fearmongering just to delay this multigenerational, multibillion-dollar project. Many, if not most, Nevadans want to have an honest discussion about Yucca Mountain, and the state's politicians and opinion writers should start to listen.

Dan Schinhofen is vice-chairman of the Board of Nye County Commissioners.

<http://www.rgj.com/story/opinion/voices/2018/03/06/yucca-mountain-majority-nevadans-want-consider-nuclear-waste-repository-schinhofen/401391002/>

## Attachment 2

### Safeguards & Benefits March 2018

Three independent groups of scientists (DOE, Nye County, and the NRC) have found Yucca Mountain to be safe. HR 3053 is before Congress. The opportunity to negotiate for benefits is before us. It is time to start considering safeguards and benefits that protect Nevada when/if the repository is built. Nevada should obtain legally-binding agreements between the Federal government and Nevada jurisdictions that include:

1. ***An intervention process:*** that includes a substantive State role in providing oversight and advice for any storage facility/repository, including influence in the Nuclear Regulatory Commission's exercise of its "stop work" authority
2. ***A monitoring process:*** a role for Nevada's Universities that would focus on public health and environmental monitoring activities designed to provide long-term protection for local communities and the State of Nevada.
3. ***A benefits/impact assistance process:*** The resources of all major Federal departments or agencies can influence their respective departmental activities in Nevada. Within this context there are things the Executive Branch could direct and those actions that will occur as a result of program execution. The Nuclear Waste Policy Act, as written, includes provisions for "oversight authority" and "payments equal to taxes," but with regard to an expanded "benefits process" for Nevada, this process could be addressed in four major areas:
  - ***Water:*** The western watershed allocation of water resources, coupled with desalinization plants on the California coast, could be revised to provide more water to Nevada.
  - ***Land transfers:*** Eighty-seven percent of Nevada is managed by the federal government. That percentage could be changed by executive decree.
  - ***Program implementation activities:*** Development of Yucca Mountain includes rail and road transportation improvements and the repository itself. Economic benefits and activity would result from the siting, construction and operation of storage and/or disposal facilities.
  - ***Direct payments:*** Existing law includes provisions for direct cash payments. Negotiating for benefits could provide Nevada and its local communities between \$200 million and \$500 million per year to host the repository,