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STATE OF NEVADA

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**OFFICE OF THE GOVERNOR  
AGENCY FOR NUCLEAR PROJECTS**

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January 29, 2018

Assemblyman Edgar Flores, Chair  
Legislative Committee on High-Level  
Radioactive Waste  
Legislative Building  
Capitol Complex  
Carson City, Nevada 89710

Dear Assemblyman Flores:

Enclosed is the Agency for Nuclear Projects' semi-annual report for the period July 1, 2018 – December 31, 2018. Should you have questions regarding the report or if you would like additional information, please let me know.

Sincerely,

A handwritten signature in blue ink, appearing to read "Robert J. Halstead".

Robert J. Halstead  
Executive Director

RRL/cs  
Enclosure

cc Richard Bryan, Chairman, Nevada Commission on Nuclear Projects  
Jann Stinnesbeck, LCB



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**REPORT TO THE NEVADA STATE LEGISLATURE'S  
COMMITTEE ON HIGH-LEVEL RADIOACTIVE WASTE**  
*July 1, 2018 – December 31, 2018*

**1.0 MISSION STATEMENT— AGENCY FOR NUCLEAR PROJECTS**

The mission of the Nevada Agency for Nuclear Projects (Agency) is to assure that the health, safety, and welfare of Nevada's citizens and the State's unique environment and economy are adequately protected with regard to any federal high-level nuclear waste and related activities in the state.

**2.0 STATUTORY AUTHORITY**

Statutory authority for the Agency is contained in NRS 459.009. The Agency carries out duties and responsibilities provided for the State of Nevada in the federal Nuclear Waste Policy Act of 1982, as amended (PL 97-425; 42 U.S.C. §§ 10101 to 10226).

**3.0 ORGANIZATION AND FUNCTIONS**

The Agency's primary mission is to oversee the proposed Yucca Mountain nuclear waste repository project and the federal government's high-level radioactive waste program. The Agency represents Nevada's interests in U.S. Nuclear Regulatory Commission (NRC) Yucca Mountain licensing activities and proceedings. The Agency carries out independent technical, impact assessment and other studies; participates in activities related to implementing recommendations of the Blue Ribbon Commission (BRC) on America's Nuclear Future<sup>1</sup> aimed at finding alternatives to the Yucca Mountain project; works with and coordinates activities of state agencies on matters relating to radioactive waste and radioactive waste transportation; represents Nevada on regional organizations dealing with nuclear waste and nuclear waste transportation matters; and provides information to the Governor, Attorney General, Legislature, local governments and tribes, the Commission on Nuclear Projects, the public, and interested parties.

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<sup>1</sup> The BRC recommended that future nuclear facility siting be done using a "consent-based," voluntary approach. The final BRC report was released in January 2012 and is available on the web at: [http://www.brc.gov/sites/default/files/documents/brc\\_finalreport\\_jan2012.pdf](http://www.brc.gov/sites/default/files/documents/brc_finalreport_jan2012.pdf).

The Agency by statute (NRS 459.0093 – NRS 459.0098) consists of the Division of Technical Programs and the Division of Planning. A seven-member Commission on Nuclear Projects advises the Governor and Legislature on nuclear wastes matters and oversees Agency activities.

#### **4.0 OVERVIEW**

While Congress has not appropriated new federal funds for NRC’s Yucca Mountain licensing activities since 2010, the Agency anticipates that there will be some renewed federal funding for licensing during the first year of the FY 2020 – 2021 biennium. The Agency’s work during the reporting period involved continued preparations for the expected resumption of the Yucca Mountain licensing adjudicatory hearings,<sup>2</sup> monitoring congressional activity related to possible legislation to restart the Yucca Mountain project and provide for interim storage facilities for spent nuclear fuel (SNF), and working cooperatively with other western states through the Western Interstate Energy Board’s (WIEB) High-Level Radioactive Waste Committee to provide oversight with regard to DOE’s plans for developing a national high-level waste (HLW) transportation system to serve future interim storage and disposal sites. The Agency worked closely with the WIEB HLW Committee in developing a series of policy papers addressing key issues associated with SNF and HLW transportation. These policy papers are available on the WIEB HLW Committee website at <https://westernenergyboard.org/download/high-level-radioactive-waste-committee-2018-policy-papers-november-2018/>.

#### **4.1 Status of Efforts to Revive Yucca Mountain at the Federal Level**

Efforts continued at the federal government level to restart the Yucca Mountain program and provide new federal funding for NRC’s Yucca Mountain licensing proceeding. In the U.S. House of Representatives, H.R. 3053, a bill introduced by Rep. John Shimkus (R-IL) in 2017 to amend the Nuclear Waste Policy Act to expedite action on Yucca Mountain and restart the forced siting of a high-level nuclear waste repository at the Nevada site, passed the full House by a vote of 340-72 in May 2018. However, the Senate failed to take any action on the measure, and it expired when the 115<sup>th</sup> Congress ended on December 31, 2018.

While the U.S. House of Representatives passed an appropriation bill for federal fiscal year 2019 that would have provided \$220 million for DOE’s Yucca Mountain activities (\$100 million more than the Trump Administration request) and \$48 million for NRC’s Yucca licensing proceeding, the U.S. Senate again declined to provide any funds for the Yucca Mountain program or NRC licensing activities. Due largely to the efforts of Nevada’s Senator Heller and Senator Cortez-Masto, the final FY 2019 Energy and Water Development Appropriation bill that was ultimately enacted did not provide any new funds from the Nuclear Waste Fund for DOE’s or NRC’s Yucca Mountain activities. At the end of calendar year 2018, DOE still had available about \$25 million, and NRC still had about \$430,000, from previous appropriations for Yucca Mountain. These carry-forward funds have allowed

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<sup>2</sup> In 2013, the U.S. Circuit Court of Appeals for the District of Columbia ordered NRC to restart the suspended Yucca Mountain licensing proceeding using available carry-over appropriated funds, even though the court acknowledged that those funds were insufficient to complete the proceeding. The full Commission responded by directing NRC staff to complete work on the five volume Safety Evaluation Report, to prepare the required Environmental Impact Statement Supplement, and to reinstitute a publically accessible database containing materials necessary for the licensing proceeding.

NRC to keep the licensing proceeding alive, but with recent expenditures of less than \$10,000 per month. Detailed information on DOE spending is not available, but is estimated to be less than \$1 million per year. Additionally, Congress appropriated \$63.9 million in FY 2019 for DOE spent nuclear fuel research and development, including \$22.5 million for unspecified waste management system activities. In 2019, continued efforts to provide new federal funds for the Yucca Mountain repository program and NRC licensing are expected.

A comprehensive discussion of legislation and other efforts at the federal level to revive the Yucca Mountain program can be found in the upcoming biennial Report of the Nevada Commission on Nuclear Project which is scheduled to be published in February 2019.

## **5.0 SUMMARY OF AGENCY ACTIVITIES**

The Agency's activities during the reporting period involved intensified efforts to prepare for the resumption of the licensing process and anticipating the requirements for the restart of the NRC's adjudicatory hearings.

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The Agency's activities during the reporting period involved intensified efforts to prepare for the resumption of the licensing process and anticipating the requirements for the restart of the NRC's adjudicatory hearings.

### **5.1 Technical Division Activities**

The Agency's Technical Division continued during the reporting period to undertake work related to the anticipated resumption of the NRC's Yucca Mountain licensing proceeding.

#### **5.1.1 Licensing Activities**

A significant amount of Technical Division efforts were directed at assessing the NRC's proposed replacement for the Licensing Support Network (LSN), the web-based, publically accessible database needed to support the Yucca Mountain licensing process and house the millions of pages of documents and other materials parties to the licensing proceeding must have ready access to.

In 2010, as a cost cutting measure NRC directed that the LSN be discontinued and that documents be retained in electronic form by NRC staff. However, none of the documents maintained by staff were accessible to licensing participants or the public. NRC has since directed staff to incorporate LSN documents into NRC's regular document system, known as the "Agency Document Access Management System" or ADAMS. Over the past several years, most of the NRC's LSN document collection has been made available on ADAMS. Technical Division staff and the AG's licensing attorneys are continuing to evaluate the suitability of the ADAMS system as the database to support the licensing proceeding, including the implementation of test protocols to assess search capabilities of the ADAMS system and determine its overall adequacy for the highly specialized

applications required for licensing. In October, 2018, NRC staff recommended that an additional \$212,000 of previously appropriated Nuclear Waste Fund monies be authorized to improve the LSN Library user interface, but a majority of the full Commission disapproved that recommendation. As a result, no further action is anticipated with respect to the licensing database until and if Congress appropriates new federal funds for the licensing process.

After the suspension of the licensing proceeding in 2010, the Agency obtained in electronic format all of DOE's licensing documents that were part of the defunct LSN database. Software and IT capabilities needed for accessing licensing-related documents and materials are separately being maintained by the Agency in the event that the ADAMS database cannot function as an acceptable substitute for the LSN. However, developing the software and search capabilities for the Agency's own database would be an extremely costly undertaking, and is not the preferred course of action.

In addition to the LSN, during the current reporting period, NRC staff was directed to gather information regarding a dedicated hearing facility in Nevada or NRC headquarters in Rockville, Maryland. In October, 2018, the NRC approved staff recommendations to defer further action regarding Nevada hearing venues until there is more certainty about the timing and need for a Nevada-based facility, but staff indicated they would continue to explore virtual courtroom technology. Nevada is strongly opposed to a hearing facility outside of Nevada (virtual or otherwise) and the Agency is watching this issue closely and preparing necessary legal and other options.

Technical Division work related to the Yucca Mountain licensing proceeding is carried out in close collaboration with the Attorney General's Office and the AG's legal/licensing team. The Agency maintains a web page containing pertinent licensing materials, petitions, orders, etc. This web page can be found at: <http://www.state.nv.us/nucwaste/licensing.htm>.

### *5.1.2 Interactions*

Agency personnel and contractors attended or participated in meetings, teleconferences, webinars, etc. sponsored by DOE, NRC, the US Nuclear Waste Technical Review Board, regional organizations of states and tribes, and nuclear industry groups addressing various aspects of the federal high-level radioactive waste program.

### *5.1.3 Independent Studies*

Agency technical experts continued to undertake research in areas needed to support existing contentions admitted before the NRC's licensing boards and for developing new contentions that would be filed when and if the Yucca Mountain licensing proceeding is restarted. Work included:

- Ongoing studies designed to further the understanding of the potential for renewed volcanic activity in the vicinity of Yucca Mountain during the lifetime of a repository;
- Studies of the potential for corrosion of waste disposal containers in the subsurface environment of Yucca Mountain;

- New research being designed to model and analyze how water flows through the highly fractured subsurface environment of Yucca Mountain and served as a mechanism for transporting future releases of radioactive materials to the accessible environment;
- Work on the development of new contentions calling into question the disposal canisters used in the performance calculations contained in the license application, using new information on industry dry storage practices over the past 10 or more years that have made the use of TAD canisters infeasible.
- Other areas of study are being scrutinized for possible new contentions based on new information that was not available when the licensing proceeding was suspended in 2010.

#### *5.1.4 Quality Assurance (QA) Oversight*

All QA audits and related activities have ceased at this time because DOE is no longer conducting site characterization work at Yucca Mountain and has terminated all activities at the site.

#### *5.1.5 On-site Monitoring*

No on-site monitoring activities occurred during the period because the Yucca Mountain site continues to be been shut down, and no DOE site activities have occurred. However, the adequacy (or inadequacy) of DOE’s prior quality assurance that supports and underpins the entirety of DOE’s Yucca Mountain license application is a major issue in Nevada’s licensing contentions challenging DOE’s license application.

### **5.2 Planning Division Activities**

The Agency’s Division of Planning continued to plan for increased workloads that would be associated with the expected resumption of Yucca Mountain licensing hearings and work needed to support the Agency’s transportation and National Environmental Policy Act (NEPA) contentions pending before the NRC’s still suspended licensing proceeding. The Agency is currently in the process of filling the newly re-established position of Planning Division Administrator, which has been left unfilled since the FY 2010 – 2011 biennium when funds were eliminated during the financial crisis and associated state budget reductions that took place. The Agency is on track to have the Planning Division Administrator position filled by the first of February 2019.

#### *5.2.1 Transportation and NEPA Licensing Contentions*

The Agency continued to undertake work and studies in support of the Nevada’s transportation and National Environmental Policy Act (NEPA) contentions in the NRC’s Yucca Mountain licensing proceeding during the reporting period. Activities included work in the following areas:

- Impacts of Transportation of Spent Nuclear Fuel by Rail and Truck to Yucca Mountain through Las Vegas

- Update on Technology for Advanced Nuclear Reactors, Pyro-processing, Deep Borehole Disposal and Plutonium Disposition and the Implications for Storage, Transportation and Disposal at Yucca Mountain
- Update Information on High-Burnup Spent Nuclear Fuel and Plutonium Disposition and the Implications for Storage, Transportation and Disposal
- Update on European Geologic Disposal Programs, Consolidated Interim Storage in the United States, and Plutonium Disposition and the Implications for Storage, Transportation and Disposal at Yucca Mountain
- Issues associated with Rail and Truck Shipments of Spent Nuclear Fuel and High-Level Radioactive Waste in the NRC’s Yucca Mountain Licensing Proceeding
- Updated Information about Local and Tribal Governments along the Shipping Route Corridors to Yucca Mountain
- Implications of Early Nuclear Reactor Retirements for Nevada’s Licensing Contentions and the Transportation of Spent Nuclear Fuel to a Repository
- Implications of Near-Term Developments Regarding New Reactor Designs and Associated Fuel Cycle Technologies for Nevada’s Licensing Contentions Related to the Transportation of Spent Nuclear Fuel

### *5.2.2 Preparations and oversight for transuranic waste shipments within Nevada*

The Agency continued to work coordinate activities of other Nevada state agencies to prepare for future transuranic waste shipments originating in northern California via Interstate 80 through northern Nevada. This program that has been ongoing in Nevada since 2000 and has resulted in the safe transportation of transuranic waste formerly stored at NNSS to both the Waste Isolation Pilot Plant (WIPP)<sup>3</sup> facility in New Mexico and to the Idaho National Laboratory (INL). DOE plans to resume shipments from generator sites in northern California sometime during the coming biennium.

This project is funded by – and operated in close cooperation with – the Western Governors Association (WGA) and with participating western states. The funds received by Nevada from WGA are part of a larger, regional program whereby WGA receives funds from DOE to implement a comprehensive regional program aimed at preparing states and local communities for transuranic waste shipments through their jurisdictions and assuring that such shipments are implemented in a safe and routine manner. Working with the states, WGA has developed a system of

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<sup>3</sup> WIPP, located in Carlsbad, NM, is a repository for disposal of defense transuranic waste. Transuranic waste is essentially lower-level radioactive and mixed hazardous/radioactive waste that has been contaminated with low levels of plutonium or other very long-lived radioisotopes that require long-term isolation from the environment.

transportation protocols that cover all aspects of the transuranic waste shipping campaign. WGA passes funds on to affected states to implement the transportation program.

### *5.2.3 Information Provision and Coordination*

To fulfill the statutory mandate requiring the Agency to “disseminate information to the State, interested political subdivisions of the State or any agency of either, and members of the public regarding radioactive waste,” the Agency maintains a comprehensive website containing information on Yucca Mountain, the NRC licensing process and related information, nuclear issues in general, and links to other relevant information sources. Over the years, the web page has proven to be a cost-effective and useful way to readily provide information to a wide audience. The web page is available at: <http://www.state.nv.us/nucwaste/> .

The Agency is also preparing to augment its public information work by enhancing capabilities of web-based platforms and social media capabilities for disseminating informational materials, conducting searches, and facilitating access to other resources that further the Agency’s responsibilities for effectively informing the state, local entities, the public and interested parties and organizations about the Yucca Mountain program and its implications.

The Agency continues to maintain a database of reports, information, and materials supporting the state’s NRC licensing contentions and licensing intervention activities in anticipation of the possible resumption of the adjudicatory hearings. That database consists of almost 6,000 documents comprised of close to 200,000 pages. The Agency has also acquired the electronic version of DOE’s entire LSN<sup>4</sup> data collection, comprising several million pages of documentary materials so as to be prepared for any resumption of licensing in the future. In the event NRC does not or cannot re-establish a functional, accessible database for all parties’ licensing materials, the Agency has plans to acquire the capability to convert this extensive DOE database into a more readily searchable format and identify how best to provide useful access to this information.

## **6.0 DESCRIPTION OF THE AGENCY'S CONTRACTS DURING THE PERIOD**

A description of all contracts in place during the reporting period is included as Attachment I of this report.

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<sup>4</sup> The NRC’s Licensing Support Network (LSN) was a comprehensive, web-based database containing several million pages of documentary material from all parties to the Yucca Mountain licensing proceeding. When the proceeding was suspended in 2011, NRC discontinued the LSN for lack of funding, and the system remains unavailable. NRC is in the process of converting LSN documents and materials for uploading on the standard, searchable NRC database known as ADAMS (see footnote 2 above). Discussion involving parties to the licensing proceeding are ongoing with regard to the acceptability and the ultimate utility of the NRC information system.



**7.0 STATUS OF ANY LITIGATION RELATING TO THE MISSION OF THE AGENCY AND TO WHICH THE STATE OF NEVADA IS A PARTY (July 1, 2018 – December 31, 2018)**

FEDERAL DISTRICT COURT IN NEVADA, U.S. COURTS OF APPEALS,  
AND STATE DISTRICT COURT IN TONOPAH

(1) *United States v. State Engineer* (5th Judicial District Court, Nye County, No. 15722). This is the appeal filed by the United States on behalf of the U.S. Department of Energy (DOE) following the State Engineer's denial of DOE's applications for permanent water rights to construct and operate the proposed Yucca Mountain repository. This case was filed as a protective measure while the United States pursues its constitutional claims in the main water litigation in federal district court (See below). The case remains pending.

(2) *United States v. State of Nevada* (U.S. District Court, No. CV-S-00-0268-DWH-LRL). This case is the United States' challenge of the Nevada State Engineer's decision determining that the United States Department of Energy (DOE) is not entitled to permanent water rights to construct and operate the proposed repository based on the State Engineer's finding that the proposed use threatens to be detrimental to the public interest. DOE has curtailed its minimal water use and in 2009, publically announced that the proposed Yucca Mountain High-Level Nuclear Waste repository is unworkable. Due largely to efforts by U.S. Senator Harry Reid, funding for Yucca Mountain was terminated. Although the Trump Administration has signaled a desire to restart the Yucca Mountain licensing proceeding, no federal funds have yet been appropriated for that purpose. The litigation remains pending.

(3) *Nevada v. United States Environmental Protection Agency (EPA)* (U.S. Court of Appeals for the District of Columbia Circuit, No. 08-1327). Nevada filed suit on October 10, 2008 against EPA, challenging the revised EPA radiation standard for the proposed Yucca Mountain repository. Due to uncertainty at the federal level and the failure of Congress to fund the Yucca Mountain project, this litigation is being held in abeyance. In the event the adjudicatory portion of NRC licensing proceeding resumes or circumstances require, a restart of this litigation may be considered. Quarterly status reports continue to be filed with the Court.

(4) *Nevada v. United States Nuclear Regulatory Commission (NRC)* (U.S. Court of Appeals for the District of Columbia Circuit, No. 09- 1133) Nevada filed a petition for judicial review of the NRC's Licensing Rule for the proposed Yucca Mountain repository on May 8, 2009. Motions to govern procedural matters were filed August 31, 2009 and a request to the Court for tandem consideration of this case and the EPA case was filed also. Dispositive motions and the NRC index to the record were filed September 29, 2009. The case is pending. Similarly to the case above, this litigation is being held in abeyance pending resolution of whether the Yucca Mountain project will proceed and receive federal appropriations. In the event the adjudicatory portion of the NRC licensing proceeding resumes or circumstances require, a restart of this litigation may be considered. Quarterly status reports continue to be filed with the Court.

(5) *Nevada v. United States Department of Energy* (9<sup>th</sup> Circuit 09-71015). This case challenges DOE's selection of the Caliente rail corridor and currently is being held in abeyance pending congressional funding or as circumstances require.

(6) *Texas v. United States Department of Energy (DOE), et al* (5<sup>th</sup> Circuit 17-60191). Nevada intervened in this Texas litigation. Texas challenged DOE's "consent-based siting" effort (no longer in effect) and further claimed that DOE violated the 2013 order of the United States Court of Appeals for the District of Columbia Circuit in *Aiken County v. DOE* (725 F.3d 255 (D.C. Cir.)) which ordered the U.S. Nuclear Regulatory Commission (NRC) to expend its remaining Yucca Mountain funds in furtherance of Yucca Mountain licensing despite the fact that NRC's remaining funds were insufficient to complete the effort. Because both of Texas' claims fail, the Court dismissed the case pursuant to Nevada's motion to dismiss on June 1, 2018.

(7) *Nevada v. U.S. Nuclear Regulatory Commission (NRC) and David A. Wright, Commissioner* (U.S. Court of Appeals for the District of Columbia Circuit, No. NRC-63-001-HLW). Nevada appealed a decision rejecting the State's attempt to recuse Commissioner Wright from any decision-making related to the Yucca Mountain license application. Nevada alleged that Commissioner Wright had formerly advocated the Yucca Mountain repository in a number of professional capacities and therefore could not perform as an unbiased adjudicator of any matter affecting the proposed Yucca Mountain repository. On December 28, 2018, the Court dismissed Nevada's appeal on ripeness grounds. Nevada retains the right to object to Commissioner Wright's participation in Yucca Mountain-related matters in the future.

(8) *Nevada v. United States Department of Energy and the National Nuclear Security Administration (DOE/NNSA), et al.*, (U. S. District Court, No. 3:18-cv-0569-MMD-CBC). On November 30, 2018, the State of Nevada filed suit in U.S. District Court challenging DOE/NNSA's proposed decision to transport one metric ton of weapons-grade plutonium from the Savannah River Site in South Carolina to the Nevada National Security Site (NNS) for indefinite storage and eventual transport of the material to Los Alamos National Laboratory, alleging violations of the National Environmental Policy Act (NEPA).. Nevada argued its motion for a preliminary injunction on January 17, 2019. The matter is currently under submission with the Court.

## PENDING ADMINISTRATIVE PETITIONS

1. On June 29, 2010, the Atomic Safety and Licensing Board (also known as the Construction Authorization Board or "CAB") issued an Order which, among other things, denied DOE's motion to withdraw its Yucca Mountain license application. The matter was appealed to the full NRC. In September 2011, NRC formally acknowledged that it was not able to reach a decision on the appeal due to a 2-2 split among commissioners (with one member of the Commission recusing himself). The result is that the licensing board's denial of DOE's motion to withdraw the license application stands.

2. *Petition for Rulemaking with NRC (filed April 8, 2005 PRM- -51-9)*: seeks to revise NRC’s standards for reviewing and litigating National Environmental Policy Act (NEPA) issues discussed in DOE’s Environmental Impact Statement (EIS) for Yucca Mountain to clearly conform to the decision in *NEI v. EPA*, 373 F.3d 1251 (D.C. Cir. 2004). The petition was published for comment on August 12, 2005, and the comment period expired on October 26, 2005. No further action has been taken by NRC.

3. *Petition for Rulemaking with NRC (filed December 22, 2006 and supplemented on January 23, 2007 PRM 63-2)*: addresses the critical issue of DOE’s proposed “aging pad” for commercial spent fuel at Yucca Mountain. The petition has not yet been noticed for comment in the Federal Register despite Nevada’s requests that it be published. The petition is still pending.

4. *Petition for Rulemaking (filed June 19, 2007)*: Petition for rulemaking asking NRC to fill in a gap in its Rules of Practice by specifying issues for consideration in the “mandatory hearing” on the prospective Yucca Mountain construction authorization application. The petition has been docketed but no other action has been taken. The petition was noticed for public comment on August 29, 2007 and the comment period closed November 13, 2007. The matter remains pending.

**ATTACHMENT I**  
**DESCRIPTION OF AGENCY CONTRACTS**  
*July 1, 2018 – December 31, 2018*

***INTRODUCTION***

The following contracts constitute Agency for Nuclear Projects' contracts in place during the reporting period:

***DESCRIPTION OF CONTRACTS***                      ***7/1/18 – 12/31/18***

**CONTRACTOR:**

Egan, Fitzpatrick, Malsch & Lawrence<sup>5</sup>  
12500 San Pedro Avenue, Suite 555  
San Antonio, Texas 78216

**COMPENSATION:**

Total Compensation: \$ 286,605.85

**NARRATIVE:**

This is a tripartite agreement between the Agency, the Attorney General, and the contractor whereby the contractor serves as special counsel to the State to represent the Nevada before the Nuclear Regulatory Commission on issues related to the U.S. Department of Energy's license application for the proposed Yucca Mountain repository and in litigation arising under the Nuclear Waste Policy Act where the Attorney General and the Agency mutually agree such services are beneficial for the State.

**NEED FOR CONTRACT/CONTRIBUTION TO THE  
AGENCY'S MISSION**

This contract is essential to furthering the Agency's mission to assure that Nevada's interests are protected with regard to the federal high-level nuclear waste program. It provides for essential representation before the NRC and the NRC licensing process for a repository.

**STATUS:**

A new two-year contract was approved by the Board of Examiners in February, 2018.

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<sup>5</sup> This is a three-party contract wherein the Agency and the Office of the Attorney General jointly manage the contract and contribute toward paying expenses.

**CONTRACTOR:**

Nevada Division of Emergency Management  
Capitol Complex  
Carson City, NV 89710

**COMPENSATION:**

Total Compensation: \$ 13,158.88

**NARRATIVE:**

Contract provides for DEM review, monitoring, and assessment of emergency preparedness, public safety and other issues arising in the context of the transportation of transuranic waste from the Nevada Nuclear Security Site to the Waste Isolation Pilot Plant facility in New Mexico. Funds for this agreement are provided through a grant from the Western Governors' Association. This is an interagency agreement that is implemented by means of specific tasks/work plans.

**NEED FOR CONTRACT/CONTRIBUTION TO THE AGENCY'S MISSION**

The Agency is required by statute to coordinate activities with other State agencies affected by the federal HLW program. This contract provides for the participation of a key State agency that will be significantly impacted by HLW transportation should the Yucca Mountain project go forward.

**STATUS:**

This is an ongoing interagency agreement. DEM will participate in emergency response/preparedness planning and development of training needs assessments and costs estimates as funding permits.

**CONTRACTOR:**

Nevada Division of Public and Behavioral Health  
Radiation Control Program  
Capitol Complex  
Carson City, NV 89710

**COMPENSATION:**

Total Compensation: \$ 0

**NARRATIVE:**

Contract provides for the State Health Division's Radiological Health Section (Rad. Health) to plan for, train, and implement required oversight and inspection activities to meet the requirements of public health and safety with respect to the transportation of transuranic waste from the Nevada Nuclear Security Site to the Waste Isolation Pilot Plant

facility in New Mexico. Funds for this agreement are provided through a grant from the Western Governors' Association.

**NEED FOR CONTRACT/CONTRIBUTION TO THE AGENCY'S MISSION**

The objective of this contract is to provide the State of Nevada with the capability to carry out activities needed to ensure the safe and uneventful transportation of transuranic waste within Nevada on its way from NNSS to WIPP. The Agency has been designated by the Governor as the lead State agency for policy and coordination of other State agencies. The Radiation Control Program will need to be prepared to assist with radiological inspections, help NDEM train and equip local and state responders, and assist with other activities related to the WIPP shipments.

**STATUS:**

This is an ongoing interagency agreement. Rad. Health will participate in preparedness planning, training, exercises, and implementation activities as funding permits.

**CONTRACTOR:**

Nevada Department of Public Safety  
Highway Patrol Division  
Capitol Complex  
Carson City, NV 89710

**COMPENSATION:**

Total Compensation: \$ 4,893.10

**NARRATIVE:**

Contract provides for NHP to plan for, train, and implement required safety activities to meet the requirements of public safety with respect to the transportation of transuranic waste from the Nevada Nuclear Security Site to the Waste Isolation Pilot Plant facility in New Mexico. Funds for this agreement are provided through a grant from the Western Governors' Association.

**NEED FOR CONTRACT/CONTRIBUTION TO THE AGENCY'S MISSION**

The objective of this contract is to provide the State of Nevada with the capability to carry out activities needed to ensure the safe and uneventful transportation of transuranic waste within Nevada on its way from NNSS to WIPP. The Agency has been designated by the Governor as the lead State agency for policy and coordination of other State agencies. NHP will need to be prepared to provide shipment escorts, serve as potential first responders for accidents, monitor real time tracking for the shipments, and carry out the vehicle aspects of point-of-origin inspections.

**STATUS:**

This is an ongoing interagency agreement. NHP will participate in preparedness planning, training, exercises, and implementation activities as funding permits.

**CONTRACTOR:**

Strolin Consulting, LLC  
177 Sussex Place  
Carson City, Nevada 89703

**COMPENSATION:**

Total Compensation: \$ 38,308.63

**NARRATIVE:**

Contract provides for services necessary for implementing the Agency's mission in light of reductions in staff and the continuing requirements for oversight of the proposed Yucca Mountain high-level nuclear waste program and the NRC licensing proceeding; for work related to the Agency's obligations with respect to transuranic and low-level radioactive waste shipments within Nevada; for work associated with the Agency's responsibilities under the Agreement-in-Principle (AIP) between the State of Nevada and the US Department of Energy/NNSA/Nevada Site Office; and for other services required for the effective operations of the Agency.

**NEED FOR CONTRACT/CONTRIBUTION TO THE AGENCY'S MISSION**

Due to budget reductions, it was not possible to fund the Planning Division Administrator position beginning with the FY 2010 - 2011 biennium. Strolin Consulting assists the Agency on a part-time basis to assure that important Planning Division work can continue. Contractor has unique qualifications, knowledge and experience as a result of the principal's long tenure with the Agency and intimate involvement with the Yucca Mountain program and other nuclear waste issues/activities in Nevada. The Agency is at a crucial stage with respect to Yucca Mountain program, the ongoing Nuclear Regulatory licensing proceeding, and waste transportation involving planning and oversight of spent fuel, high-level waste, low-level waste, and transuranic waste shipments affecting Nevada. Providing for the services of the contractor at this crucial time continues to be essential to the effective functioning of the Agency.

**STATUS:**

Contract was extended for 6 months through 6/30/19.

CONTRACTOR

Urban Environmental Research, LLC  
2850 W. Horizon Ridge Parkway, Suite 200  
Henderson, NV 89052

COMPENSATION:

Total Compensation: \$ 95,304.00

NARRATIVE:

The work to be accomplished under this contract involves the implementation of studies and activities in support of important transportation contentions in the NRC's Yucca Mountain licensing proceeding and specific studies, reports, etc. addressing impacts that would be associated with the location and operation of a HLW repository at Yucca Mountain, including impacts from the transportation of spent nuclear fuel and HLW to such a facility.

NEED FOR CONTRACT/CONTRIBUTION TO THE  
AGENCY'S MISSION

In July 2002, the U.S. Congress voted to uphold the decision by the Energy Department (DOE) and the President to select Yucca Mountain in southern Nevada as the potential location for the nation's first high-level nuclear waste repository. Nevada is presently challenging the project in NRC's licensing proceeding. The work under this contract involves specific and focused studies and reports by subject-matter experts in environmental and transportation area in support of contentions or challenges the State is pursuing in the context of the NRC's licensing proceeding. Other work includes maintaining/updating baseline information; monitoring selected socioeconomic impacts identified in the Agency's Yucca Mountain Impact Report that would be associated with the location and operation of a HLW repository at Yucca Mountain, including impacts from the transportation of spent nuclear fuel and HLW to such a facility in Nevada and nationally; and carrying out additional research and/or data collection that is necessary to provide support for legal cases involving certain aspects of the Yucca Mountain program and for the State's activities associated with NRC's licensing proceedings.

STATUS:

Contract runs through 12/31/19.