

BULLETIN 19-20

Committee on High-Level Radioactive Waste (NRS 459.0085)



Legislative Counsel Bureau

AUGUST 2018

COMMITTEE ON HIGH-LEVEL RADIOACTIVE WASTE

Nevada Revised Statutes 459.0085

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Nevada Revised Statutes

NRS 459.0085 Creation; membership; powers and duties; compensation and expenses of members.

1. There is hereby created a Committee on High-Level Radioactive Waste. It is a committee of the Legislature composed of:

(a) Four members of the Senate, appointed by the Majority Leader of the Senate.

(b) Four members of the Assembly, appointed by the Speaker.

2. The Legislative Commission shall review and approve the budget and work program for the Committee and any changes to the budget or work program. The Legislative Commission shall select a Chair and a Vice Chair from the members of the Committee.

3. Except as otherwise ordered by the Legislative Commission, the Committee shall meet not earlier than November 1 of each odd-numbered year and not later than August 31 of the following even-numbered year at the call of the Chair to study and evaluate:

(a) Information and policies regarding the location in this State of a facility for the disposal of high-level radioactive waste;

(b) Any potentially adverse effects from the construction and operation of a facility and the ways of mitigating those effects; and

(c) Any other policies relating to the disposal of high-level radioactive waste.

4. The Committee may conduct investigations and hold hearings in connection with its functions and duties and exercise any of the investigative powers set forth in [NRS 218E.105](#) to [218E.140](#), inclusive.

5. The Committee shall report the results of its studies and evaluations to the Legislative Commission and the Interim Finance Committee at such times as the Legislative Commission or the Interim Finance Committee may require.

6. The Committee may recommend any appropriate legislation to the Legislature and the Legislative Commission.

7. The Director of the Legislative Counsel Bureau shall provide a Secretary for the Committee on High-Level Radioactive Waste.

8. Except during a regular or special session of the Legislature, each member of the Committee is entitled to receive the compensation provided for a majority of the members of the Legislature during the first 60 days of the preceding regular session for each day or portion of a day during which the member attends a Committee meeting or is otherwise engaged in the work of the Committee plus the per diem allowance provided for state officers and employees generally and the travel expenses provided pursuant to [NRS 218A.655](#). Per diem allowances, salary and travel expenses of members of the Committee must be paid from the Legislative Fund.

(Added to NRS by [1985, 685](#); A [1987, 399](#); [1989, 1221](#); [1995, 1454](#); [2009, 1156](#); [2013, 3759](#))

EXECUTIVE SUMMARY

The Committee on High-Level Radioactive Waste is a permanent committee of the Nevada Legislature whose authorization and duties are set forth in Chapter 459 (“Hazardous Materials”) of *Nevada Revised Statutes* (NRS). In 1985, the Nevada Legislature created the Committee, along with the Commission on Nuclear Projects (CNP) and the Agency for Nuclear Projects (ANP), to conduct state oversight of the Yucca Mountain Program. The Committee is responsible for performing legislative oversight responsibilities to study and evaluate the following:

- Information and policies regarding the location of a facility for the disposal of high-level radioactive waste in the State of Nevada;
- Any potential adverse effects from the construction and operation of a facility and the ways of mitigating those effects;
- Any other policies relating to the disposal of high-level radioactive waste; and
- Recommendations concerning appropriate legislation to be presented to the Legislature and the Legislative Commission.

The Committee held two meetings and participated in an informational tour of the Nevada National Security Site during the 2017–2018 Legislative Interim. The Committee also monitored the activities of the United States Nuclear Waste Technical Review Board, the CNP, and the ANP.

The Committee will continue to monitor: (1) activities related to the U.S. Court of Appeals for the District of Columbia Circuit’s writ of mandamus directing the U.S. Nuclear Regulatory Commission (NRC) to resume the licensing process for the Yucca Mountain repository; (2) the U.S. Department of Energy’s activities concerning the Yucca Mountain license application and related legal challenges; (3) actions taken by the White House Administration and Congress on the Yucca Mountain repository; and (4) any other pertinent activity in these or related areas.

SUMMARY OF RECOMMENDATIONS

The Committee did not make any recommendations or propose any legislation for the 2019 Session of the Nevada Legislature.

I. INTRODUCTION

The Committee is an ongoing statutory committee of the Nevada Legislature whose authorization and duties are set forth in NRS 459.0085. The Committee provides a forum for discussion of high-level radioactive waste issues with federal, state, and local officials; representatives of special interest groups; and the public.

More information about the Committee’s activities—including minutes, recordings of meetings, and copies of presentations and other exhibits—may be accessed on the Legislature’s website for the [2017-2018 Interim](#).

II. BACKGROUND

In the past, the Legislature adopted two resolutions protesting the development of the Yucca Mountain Nuclear Waste Repository that were recommended by the Committee: (1) [Senate Joint Resolution 6](#) (2001); and (2) [Assembly Joint Resolution 4](#) (2005).

Most recently, during the 2017 Legislative Session, the Nevada Legislature adopted [AJR 10](#), which formally stated its opposition to “any attempt by the United States Congress to resurrect the dangerous and ill-conceived repository for spent nuclear fuel and high-level radioactive waste at Yucca Mountain.”

For information on the activities of the Committee in past interims, earlier bulletins of the Committee are available at the Research Library in Carson City, Nevada, or online at: <http://www.leg.state.nv.us/Division/Research/Publications/InterimReports/index.html>.

III. DISCUSSION OF TESTIMONY AND RECOMMENDATIONS

The Committee held two meetings and participated in an informational tour of the Nevada National Security Site during the 2017–2018 Legislative Interim.

At its first meeting on March 20, 2018, the Committee heard from the ANP, the CNP, and affected local entities. Through these presentations, the Committee was updated on the activities of the ANP, the litigation related to the Yucca Mountain Project, and the impact on tribal, local, and county governments from the Yucca Mountain Project.

At its second meeting on April 27, 2018, the Committee heard from the National Conference of State Legislatures, the U.S. Nuclear Waste Technical Review Board, and the Western Interstate Energy Board. The presentations of these various regional and national entities discussed issues related to storage, transportation, and disposal of nuclear waste.

The Committee also scheduled a work session to consider a resolution to reaffirm AJR 10. Acknowledging that AJR 10 was still in effect and did not need further action, the proposed action for legislation was not considered. Additional information is available in the Committee's [Work Session Document](#).

Finally, the Committee monitored the activities of the U.S. House of Representatives' Committee on Energy and Commerce, 115th Congress; the White House Administration; the U.S. Department of Energy; and the NRC.

IV. SUGGESTED LEGISLATION

The Committee did not make any recommendations or propose any legislation for the 2019 Session of the Nevada Legislature.