

Subcommittee on Environment and the Economy
Hearing on the June 6, 2011 Report of the Inspector General
of the Nuclear Regulatory Commission
Opening Remarks, Energy and Commerce Committee Chairman Fred Upton
June 14, 2011

Mr. Chairman, thank you for holding this hearing to continue our examination of NRC management. Developing a safe, permanent storage site for spent nuclear fuel is essential to our energy security as well as our national security. I commend and thank our witness for his efforts to provide an objective look at the inner-workings of this key agency. The more we learn about NRC's current leadership the greater our concern about the apparent breakdown in agency operations and disregard for the decades of technical expertise and billions of dollars invested.

Mr. Chairman, justice delayed is justice denied. It has been a year since states and other affected parties went to court seeking a ruling on the license application for the repository at Yucca Mountain. The Atomic Safety and Licensing Board ruled that the NRC must consider and vote on DOE's application. Yet the Commission still has not taken final action.

After a year in limbo, it now appears that the NRC Chairman devised a complex, calculated strategy to kill the license application without consideration by the Commission.

Mr. Chairman, consumers have been paying into the Nuclear Waste Fund since 1983 with a promise of something in return: a permanent place to send the spent fuel away from reactor sites. When the license application was finally filed three years ago, we grew more confident. The Act said that in three years the NRC would grant the license or explain to Congress why they needed more time. Instead, NRC won't even give a straight answer about whether the application is still alive.

And it's not just nuclear power consumers who are cheated. It's taxpayers in every state including Nevada who are paying out judgments to plant operators because the DOE is late accepting the waste. DOE itself says taxpayers are on the hook for an additional \$15 billion – on top of the \$15.4 billion already spent on the project – and that's the liability if DOE opens Yucca by 2020. If not, it rises about \$500 million per year after that.

The circumstances surrounding the Obama administration's rush to pull the plug on the Yucca Mountain repository are alarming as much as they are disappointing. We

now have an administration that wants to erase the visionary effort launched by President Reagan, casting aside three decades of scientific research, bipartisan collaboration and a fortune invested to start from scratch no matter what the cost or consequences to our national security. We cannot allow our nuclear safety to be compromised by politics.

Despite this moment of dysfunction at the top, the NRC's intrinsic value to the U.S. lies in the expertise and extraordinary dedication of its highly professional staff, including our witness today. To them we repeat: we will do what we can to rescue the Agency from the ditch that politicians have driven you into.

And to consumers and taxpayers across America: we will get NRC to focus once again on its statutory mission to serve all the people instead of just serving its Chairman's political patrons.

Thank you, Mr. Chairman.