

## NUCLEAR WASTE:

# Wyden preparing bipartisan solution to waste debacle

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The chairman of the Senate Energy and Natural Resources Committee yesterday confirmed that he's preparing a bipartisan package to untangle a political knot blocking the permanent disposal of nuclear waste and that he's working on a bipartisan agreement with the GOP-led House over Yucca Mountain.

Sen. Ron Wyden (D-Ore.) said during an interview that he met with Sen. Lisa Murkowski of Alaska, top Republican on the Energy panel, and Sens. Dianne Feinstein (D-Calif.) and Lamar Alexander (R-Tenn.) -- who lead the Energy and Water Development Appropriations Subcommittee -- and that his staff is now preparing legislative text.

"We're drafting legislation. The four of us are working together to draft legislation that we are planning to have available in a matter of weeks," Wyden said. "It's clear to me the country needs a more permanent solution for the disposal of nuclear waste from both nuclear power plants and nuclear weapons installations like Hanford."

Wyden said he also recently met with House Energy and Commerce Chairman Fred Upton (R-Mich.), Rep. Ed Whitfield (R-Ky.) and House Natural Resources Chairman Doc Hastings (R-Wash.) to discuss the issue and is having some success. House Republicans have said they won't consider legislation that doesn't specify the use of Yucca Mountain, a site in the Nevada desert that the Obama administration has deemed unworkable.

"I think there's a lot of interest now in some bicameral solutions on these issues. I know there are strongly held views," Wyden said. "Regardless of how you feel about Yucca, I think there's concern that you're going to need more than one."

Wyden also said last year that he visited the site of the crippled Japanese reactors -- which were damaged by a massive earthquake and tsunami in

2011 -- and that he supports "finding a safer way to store spent fuel and go about picking a repository site than what happened with Yucca."

Murkowski also touched on the issue yesterday and said there was "general consensus" among herself, Wyden, Feinstein and Alexander about moving forward with interim storage sites while advancing the more difficult process of finding a permanent repository.

"It is fair to say there is a real commitment on the Senate side," she said.

Murkowski has embraced recommendations from an expert panel President Obama assembled to move forward with consent-based siting of a repository, which could include Yucca Mountain. "I'm a believer that Yucca is part of our answer in terms of long-term storage out there," she said. "But I also don't want to be in the situation where 10 years from now, we are no further ahead with any kind of a solution."

Murkowski said she's hopeful the four senators can craft legislation that's accepted in the House from both parties and from lawmakers hailing from different regions. "We will not shut the House out," she said. "We will keep them engaged in the conversation, but we cannot ... afford to have no answers."

Murkowski said Wyden's bill could mirror text that she, Feinstein and Alexander agreed on last year. The three senators were keen on moving ahead with temporary storage sites, which are seen as a way of saving the government millions in lawsuits for not upholding its legal agreement to take the waste.

The trio's efforts were at odds with former Senate Energy and Natural Resources Chairman Jeff Bingaman (D-N.M.), who was concerned those sites -- like one in his home state -- could become de facto permanent sites (*E&ENews PM*, Aug. 1, 2012).

Wyden confirmed the new bill could move forward with temporary storage sites while launching the process of finding a permanent solution, but he quickly noted that any temporary site would not be a substitute for a repository.

"We would be open to having an interim facility before a permanent repository is built, and I think what's important is to demonstrate that the interim storage facility directly reduces the risk to public health and safety," he said.

The legislation will also lay out a process for creating an entity to oversee

the siting of new waste disposal facilities. Wyden said the new organization will need to be transparent and accessible to the public, and the head of the entity may need to report to the Energy secretary.

"Burying the program in a DOE bureaucracy without a Senate-confirmed director who lacks some standing to run a high-profile program, which is arguably the situation today, is a mistake," he said.