

# United States Senate

WASHINGTON, DC 20510

April 13, 2018

The Honorable John McCain  
Chairman  
Senate Armed Services Committee  
228 Russell Senate Office Building  
Washington, DC 20510

Dear Chairman McCain:

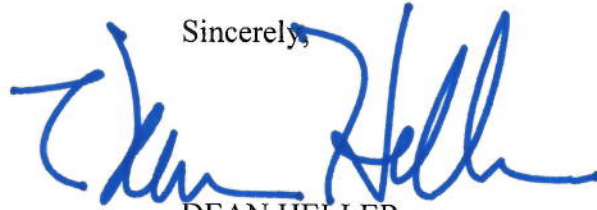
I write today to express my steadfast opposition to the potential inclusion of authorization of funds for defense nuclear waste disposal at the Department of Energy in the fiscal year (FY) 2019 National Defense Authorization Act (NDAA). As you know, Congress spoke last month on this issue and, through my leadership, chose not to provide any funding for this program in the FY 2018 omnibus spending package. Given the limited time we have available to work on NDAA, I believe we should not spend our time relitigating this issue for FY 2019 less than one month later, and I remain concerned that the potential inclusion of any reference to such funds in the spending tables of your bill would be tantamount to an authorization. I respectfully request that you honor the will of Senate appropriators and Congress on this matter and exclude any authorization of funds language from the FY 2019 NDAA.

As you may know, the Administration's request for \$120 million in the Department of Energy's (DOE's) FY 2019 budget will be in part used to restart licensing activities at the Yucca Mountain nuclear waste repository. I firmly believe that our nation cannot make any progress toward finding a viable long-term storage solution for spent nuclear fuel and defense high-level waste without first moving past Yucca Mountain. The Administration's request merely serves to perpetuate a long-standing fight over states' rights and does nothing to solve the real issue at hand – finding a nuclear waste storage solution that actually meets the needs of the American people.

As I have shared with Chairman Alexander and Ranking Member Feinstein of the Senate Appropriations Subcommittee on Energy and Water Development, the true cost of the Administration's request is not \$120 million, but rather hundreds of billions of dollars. On numerous occasions, Governor Sandoval has made clear the State of Nevada will challenge more than 200 elements of any license application, which will take countless years to resolve and cost the federal government billions of dollars. These costs come in addition to an additional \$82 billion that would be needed to license, construct, and operate Yucca Mountain through closure, according to DOE estimates. Given that nearly \$15 billion has already been spent on the repository, the total system life cycle cost for the project is estimated to be around \$97 billion, an amount that would be 15 to 20 percent higher in today's dollars.

I commend Congress and Senate appropriators, particularly Chairman Alexander and Ranking Member Feinstein of the Senate Appropriations Subcommittee on Energy and Water Development, for repeatedly recognizing that U.S. taxpayer dollars would be better spent identifying viable alternatives for the long-term storage of nuclear waste in areas that are willing to house it. I strongly believe consent-based siting presents the best path forward on this issue and a means of addressing our nation's high-level nuclear waste problem while at the same time respecting the sovereignty of states. I will continue to stand with the State of Nevada in staunch opposition to Yucca Mountain, and strongly urge you to respect the recently confirmed will of appropriators on this matter. Thank you for your attention to this important request.

Sincerely,

A handwritten signature in blue ink, appearing to read "Dean Heller", is written over the word "Sincerely,".

DEAN HELLER  
U.S. Senator