

Yucca Mountain: New NRC Orders Partial Restart of Consideration

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On November 19, 2013, in response to the U.S. Court of Appeals for the District of Columbia Circuit's August order that the U.S. Nuclear Regulatory Commission (NRC or Commission) resume work on the Department of Energy's (DOE) Yucca Mountain construction authorization application using approximately \$11 million in unspent money from the Nuclear Waste Fund, the NRC told its professional staff to finish the safety evaluation report (SER) for Yucca Mountain nuclear waste depository.

The NRC reached this decision after obtaining comments from various parties involved in the licensing process on how to proceed. The Yucca Mountain site for a repository for spent nuclear fuel and high-level nuclear waste was selected by DOE at the direction of Congress. DOE submitted its NRC license application in June 2008, but DOE withdrew it in 2010 after the Obama administration decided not to pursue the project.

The Commission's order directed staff to complete and issue the SER that was left incomplete when the Yucca Mountain construction stopped; directed the NRC Secretary and other agency staff to enter thousands of documents from the old Licensing Support Network (LSN) into the NRC's ADAMS documents database to be available for the staff and eventually, assuming the availability of funding, to the public; and asked DOE to supplement its environmental impact statement on Yucca Mountain.

The Commission's order does not direct the staff to reconstitute the LSN that was disabled in FY 2011; restart the adjudicatory hearing on the application that has been suspended; or signal that any actual licensing decision is imminent.