News from Beyond Nuclear
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“Yucca Mountain has repeatedly failed the test to serve as a high-level radioactive waste burial dump for the past several decades, and still does.

First and foremost, Yucca Mountain is located on Western Shoshone Indian land, as recognized by the United States government when it signed the “peace and friendship” Treaty of Ruby Valley in 1863. Thus, the Yucca dump scheme is illegal and unconstitutional. Treaties are the highest law of the land, equal in stature to the Constitution itself. It would be like the U.S. trying to force the burial of its radioactive wastes onto Canada or Mexico, against their sovereign will. As with nuclear weapons testing at the adjacent Nevada Test Site, the Western Shoshone have made clear for decades, they do not consent to this dump on their land.

In fact, the Native Community Action Council (NCAC) has achieved official party status by establishing standing in the U.S. Nuclear Regulatory Commission’s licensing proceeding for the Yucca dump. NCAC’s contentions assert that the U.S. Department of Energy (DOE) does not hold title to the land or water at Yucca Mountain. This belongs to the Western Shoshone Indian Nation.

In addition, the Yucca dump would be an environmental injustice, and radioactive racism. The Downwinders of Nevada and Utah, and beyond – Western Shoshones, Southern Paiutes, and Native Americans of other nations, as well as ranchers, Mormons, etc., which an official of the DOE’s predecessor, the Atomic Energy Commission, once infamously referred to as an expendable “low use segment of the population” – have
already suffered more than enough from hazardous nuclear weapons testing radioactive fallout. Targeting the same people of color and low income communities for the country’s high-level radioactive waste dump adds insult to injury, and would inflict yet more injury.

Yucca also happens to be entirely unsuitable scientifically. The area is seismically unstable, and potentially volcanically active. The combination of underground water saturation, rock chemistry, and the waste’s thermal heat would create the perfect storm, corroding burial containers and releasing radioactive waste into groundwater in a relatively short matter of time. Farmers, ranchers, and families downstream with drinking and irrigation water wells would be exposed to hazardous radioactive contamination, as would Timbisha Shoshone further downstream in Death Valley, where Yucca’s groundwater surfaces as springs.

Last but not least, if the unacceptable dump at Yucca were to be opened, it would launch shipments of highly radioactive irradiated nuclear fuel onto the roads, rails, and waterways of 43 states, past the homes of tens of millions of Americans. These “Mobile Chernobyl” risks show how insensitive Rep. Shimkus is, to schedule this hearing on the very day marking 31 years since the beginning of the ongoing Chernobyl nuclear catastrophe in Ukraine (Cesium-137 contamination over vast regions of Europe, for example, will remain hazardous for at least 300 years).

Alarmingly, when I testified before the subcommittee he chairs on October 1, 2015, Rep. Shimkus not only did not know about the potential irradiated nuclear fuel railway shipping routes located deep in the heart of downtown Chicago, just a quarter-mile from the Art Institute, but he then swore up and down my assertion was incorrect. Unfortunately, I am not mistaken. In addition, he attempted to rebut my concerns about the risk of TOW anti-tank missile attack against shipping containers, as by terrorists, by claiming TOWs are difficult to fire, and could not hit a moving container. TOWs were designed to hit Soviet tanks that can travel faster than 30 miles per hour. Of course, shipping containers do slow to 30 mph or less, such as while traveling through a city like Chicago. Containers could also be sitting still, such as in a train yard deep in the heart of downtown Chicago.
The unsuitable, failed Yucca dump scheme has long served as the illusion of a solution for our high-level radioactive waste dilemma. We should stop making it, by permanently shutting down atomic reactors as soon as possible, and replacing their electricity supply with energy efficiency and renewable sources such as wind and solar.

For the 80,000 metric tons of commercial irradiated nuclear fuel that already exists in the U.S., Hardened On-Site Storage (HOSS) should be implemented, as close to the point of generation as possible, as safely as possible. Many hundreds of environmental groups, representing all 50 states, have been advocating HOSS since 2002, when Congress unwisely overrode Nevada’s veto against the Yucca dump in the first place.”