

**PUBLIC SERVICE COMMISSION
STATE OF NORTH DAKOTA**

**NEWS RELEASE
December 21, 2010
Commissioner Clark**

****For Immediate Release**
Phone 701-328-2400**

Commissioner Clark Tells CNN Feds in ‘Default’ over Nuclear Waste Fund

WASHINGTON--Electricity consumers are paying the price while the federal government is “defaulting” in its promise to develop a workable solution to the nation’s nuclear waste storage problem North Dakota Public Service Commissioner Tony Clark told a national television audience. Clark is President of the National Association of Regulatory Utility Commissioners.

Commissioner Clark, in an interview Sunday, Dec. 19, on CNN, said nuclear-power consumers across the country have paid more than \$24 billion in fees and interest since 1983 into the Nuclear Waste Fund, created by Congress to pay for the development and maintenance of a geologic repository to store waste produced from the nation’s nuclear power plants, defense and other government programs.

“If [the federal government] isn’t going to uphold its end of the bargain in taking this nuclear waste, then at the very least, in these tough economic times, we should stop assessing this fee,” Commissioner Clark said. The fee amounts to approximately \$770 million a year.

Including interest, North Dakota consumers have paid over \$30 million into the fund since its inception.

At issue is the seemingly never-ending saga regarding the nation’s nuclear-waste policy. In 1982, Congress determined that waste from commercial nuclear power plants and defense weapons should be stored in a geologic repository, and established the Nuclear Waste Fund to pay for it. Congress later selected Yucca Mountain, Nev., a remote mountain range about 90 miles outside Las Vegas, as the repository site. The U.S. Department of Energy in 2008, after years of delay and study, asked the Nuclear Regulatory Commission for approval of the Yucca Mountain project.

Shortly after taking office in January 2009, the Obama Administration sought to reverse course. The Department of Energy immediately slashed the Yucca Mountain budget and Secretary Steven Chu appointed a Blue Ribbon Commission on America’s Nuclear Future to develop a new nuclear-waste policy. In March 2010, DOE asked to withdraw its request from the NRC for approval of the Yucca Mountain project.

Meanwhile, DOE continues assessing the Nuclear Waste fee, despite having no alternative plan for storing the waste. NARUC sued the Department earlier this year after the agency denied the Association’s request that it cease charging the fee until a new strategy is approved. A federal appeals court dismissed NARUC’s petition on procedural grounds.

Commissioner Clark, in his interview with CNN anchor Drew Griffin, said the federal government needs to either stop charging the fee for the time being or get back to work on the

Yucca Mountain proceeding. “We feel there has been more than enough collected at this time to do whatever it is they are going to do in the near-term future,” Commissioner Clark said.

In terms of its next actions, Commissioner Clark said NARUC is weighing its options after the federal court rejected the Association’s appeal.

--END--