

1 **(Each Nevada County) COUNTY RESOLUTION NO. ????-??**

2 A RESOLUTION OF THE **(Name of County)** COUNTY BOARD OF COMMISSIONERS (Board) **(or**  
3 **Supervisors)** RESOLUTION SUPPORTING COMPLETION OF THE NUCLEAR REGULATORY  
4 COMMISSION'S REVIEW OF THE YUCCA MOUNTAIN LICENSE APPLICATION

5  
6 **WHEREAS**, the Nuclear Waste Policy Act of 1982, as amended, ("Act") selected Yucca  
7 Mountain, located in Nye County, Nevada as the only site to be characterized as the nation's first high-  
8 level radioactive waste repository; and

9 **WHEREAS**, Congress in July 2002, in accordance with provisions of the  
10 Act, as amended, over-rode Nevada's notice of disapproval; and

11 **WHEREAS**, Yucca Mountain was designated to be the site for development of a permanent  
12 repository for United States spent nuclear fuel and defense high level radioactive waste; and

13 **WHEREAS**, the U.S. Department of Energy (DOE), in accordance with the Act, submitted a  
14 License Application (LA) to the Nuclear Regulatory Commission (NRC); and

15 **WHEREAS**, that LA, in accordance with NRC regulations, was accepted for review by the  
16 NRC; and

17 **WHEREAS**, the DOE requested withdrawal of its submission of the LA "with prejudice"; and

18 **WHEREAS**, the request for withdrawal was denied by the Atomic Safety and Licensing Board  
19 (ASLB) and challenged in Federal Court; and

20 **WHEREAS**, the Chairman of the NRC halted review of the Yucca Mountain license  
21 application; and

22 **WHEREAS**, the U.S. Court of Appeals for the District of Columbia (the Court) has ruled that  
23 the NRC actions to halt the review are illegal, and issued a Writ of Mandamus compelling the NRC to  
24 resume its review of the DOE's license application to construct a Repository at Yucca Mountain; and

25 **WHEREAS**, the nation needs to move forward on the established NWPA strategy that provides  
for the permanent disposal of high level radioactive waste; and,

1                   **WHEREAS**, the (ABC) Board recognizes that further delays in the development of a permanent  
2 geologic repository will result in significant public expenditures and potentially jeopardize the future  
3 expansion of nuclear power production and energy independence; and  
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5                   **WHEREAS**, the Board is convinced that until such time as the NRC completes its review of the  
6 LA, (ABC) County, the State of Nevada and the nation will be denied a scientific and technical  
7 determination of the potential of the Yucca Mountain repository to be built and operated safely and  
8 successfully; and

9                   **WHEREAS**, (ABC) County citizens deserve a better understanding of what the construction and  
10 operation of Yucca Mountain could mean to all Nevada Citizens.

11                   **NOW THEREFORE**, it hereby is resolved as follows:

- 12                   1.       The Yucca Mountain licensing proceedings should be restarted and the NRC should  
13                   complete a thorough and detailed review of the License Application; and
- 14                   2.       That relative to the Writ of Mandamus, the NRC's first order of business should be to  
15                   complete and issue the Safety Evaluation Reports; and
- 16                   3.       Congress should appropriate sufficient funds to proceed with licensing; and
- 17                   4.       If upon completion of the license application review by the NRC staff and the licensing  
18                   proceeding before the ASLB, the conclusion is that the Yucca Mountain repository can  
19                   be constructed and operated safely, (ABC) County affirms its support for such  
20                   construction and operation of the repository; and
- 21                   5.       In light of the DOE's Blue Ribbon Commission (BRC) Implementation Strategy in  
22                   response to that federally appointed commission, (ABC) County supports the State of  
23                   Nevada discussing and negotiating potential benefits that can reasonably be associated  
24                   with Nevada's consent for the construction and operation of Yucca Mountain as the  
25                   nation's repository for high level waste.
6.       A copy of this Resolution and the Policy shall forthwith be forwarded to (ABC) County's  
                 independent auditor.

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APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2011.

(ABC) COUNTY BOARD OF  
COUNTY COMMISSIONERS:

ATTEST:

\_\_\_\_\_  
(ABC), Chairperson

\_\_\_\_\_  
(ABC) County Clerk  
And Ex-Officio Clerk of the Board

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