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July 15, 2008

VIA E-FILING

Hon. Anne K. Quinlan
Acting Secretary
Surface Transportation Board
395 E Street, SW
Washington, DC 20423-0001

Re: STB Finance Docket No. 35106
United States Department of Energy – Rail Construction and Operation
- Caliente Rail Line in Lincoln, Nye, and Esmeralda Counties, Nevada
Notice of Appearance and Comments

Dear Secretary Quinlan:

Please accept the enclosed filing, Clark County's Comments to the DOE Application, on behalf of Clark County, Nevada in response to the Surface Transportation Board, Notice of Construction and Operation Application and Adoption of Procedural Schedule, published in the Federal Register, on April 16, 2008.

Pursuant to the Board's Notice, we hereby provide notice of appearance and comments in this proceeding as a party of record. We respectfully request that we receive copies of all filings, submissions, discovery requests and responses, notices, and decisions made in this proceeding.

We would prefer to provide and receive service of copies by email using the address

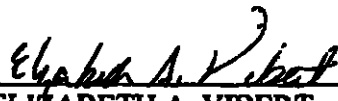
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Hon. Anne K. Quinlan
July 15, 2008
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above provided.

Sincerely,

DAVID ROGER
DISTRICT ATTORNEY

By: 
ELIZABETH A. VIBERT
Deputy District Attorney

EAV:pv

**BEFORE THE
SURFACE TRANSPORTATION BOARD
WASHINGTON D.C.**

FINANCE DOCKET NO. 35106

**DEPARTMENT OF ENERGY—CERTIFICATE OF PUBLIC CONVENIENCE AND
NECESSITY TO CONSTRUCT AND OPERATE A RAIL LINE IN LINCOLN, NYE
AND ESMERALDA COUNTIES, NEVADA**

**COMMENTS OF CLARK COUNTY, NEVADA
July 15, 2008**

Clark County, Nevada respectfully submits the following Comments regarding the requested Application for a Certificate of Public Convenience and Necessity to Construct and Operate a Rail Line ("Application") in Lincoln, Nye and Esmeralda Counties, Nevada filed by the Department of Energy (the DOE) on March 17, 2008. Clark County is opposed to such a certificate being granted, and appreciates the opportunity to submit the following Comments.

INTRODUCTION

Clark County is one of ten "affected units of local government" as designated by the Nuclear Waste Policy Act, as amended in 1987 ("NWPA"). Since 1985, Clark County Commissioners have passed resolutions in opposition of the repository, and transportation to it. The most recent Resolution, adopted in June 2008, provided the specific action to actively participate in the U.S. Surface Transportation Board proceedings over the Application. (*See Clark County Resolution dated June 3, 2008, Attachment 1*). An existing Union Pacific Rail line traverses Clark County, including the Las Vegas Valley and several rural communities and Native American tribal lands within Clark County's geographic boundary. Clark County's current population exceeds 2 million, and is expected to increase to over 3.6 million by the year 2035. Irrespective of other transportation decisions that are made by the DOE or other federal agencies with respect to the Yucca Mountain Project, or recommendations for

alternatives or mitigation offered by other parties to this proceeding, Clark County is both directly and indirectly impacted by the outcomes of this Application. Clark County owns and operates the University Medical Center, with the only Level One Trauma Unit, Burn Unit, and the only radiological decontamination unit in the region. Further, Clark County plays a critical role in regional first response and emergency management, protection of critical infrastructure including transportation, and, most importantly, provides the majority of revenue and economic base for the benefit of the entire state of Nevada. In effect, Clark County will be expected to play a major role in supporting an activity for which it will receive no economic benefit. Clark County's recent commodity flow study for rail shipments revealed that over 70% of the hazardous material commodities on the Union Pacific line pass through Clark County and add nothing to the economy, but require preparedness and response from first responders in case of an incident. Clark County would find itself in a similar position with any Yucca Mountain-bound shipments.

The Application was submitted by the DOE on March 17, 2008. The proposed rail line is to be used for transport of spent nuclear fuel and high-level nuclear waste to the proposed Yucca Mountain repository for nuclear waste, which is located 90 miles away from Las Vegas in Nye County, Nevada. Critical components of the Application are the DOE's "Draft Rail Alignment Environmental Impact Statement" (Draft Rail EIS) and the "Draft Supplemental Environmental Impact Statement for a Geologic Repository for the Disposal of Spent Nuclear Fuel and High-Level Radioactive Waste at Yucca Mountain" (DSEIS). The Draft Rail EIS was supplied by the DOE pursuant to the National Environmental Policy Act (NEPA). Subsequent to the filing of this Application, the DOE issued both the Final Supplemental Repository EIS as well as the Final Rail Corridor EIS. The majority of Clark County's comments address inadequacies in the Draft Rail EIS. The comments address the following areas: 1) the DOE's Failure to Consider Reasonable Alternatives, 2) the DOE's Failure to Adequately Consider Rail Security Issues; 3) the DOE's Failure to Adequately Address Public Safety and Emergency Management; and 4) the DOE's Failure to Adequately Identify and Address Risks and Impacts.

The following comments are intended to support Clark County's opposition to the construction of the Caliente Rail Corridor. The comments are primarily intended to identify deficiencies or inadequacies determined by a thorough review of the Application. Any suggestions or alternatives provided herein should not be construed to be implied consent to the proposed Yucca Mountain repository or transportation to it. Clark County's comments are further supported by its January 10, 2008 response to the DSEIS and the Draft Rail Corridor EIS, incorporated herein by reference. (Clark County Comments on Draft Rail EIS, 2008, Attachment 2).

COMMENTS

1.0 The DOE's Failure to Consider Reasonable Alternatives

1.1 The Mina Corridor Cannot Be Considered a "Reasonable" Alternative

The Draft Rail EIS primarily considers two rail corridors: 1) the Caliente Corridor and 2) The Mina Rail Corridor. The former, based upon allegedly thorough analysis, is determined to be the "preferred alternative," and the latter is deemed to be the "non-preferred alternative." See Draft Rail EIS at Vol. I, Sec. 3.2, P. S-31. In actuality, however, the "non-preferred alternative" is not a "reasonable alternative." See 40 C.F.R. § 1502.14(a). On April 27, 2007 the Walker River Paiute Tribe withdrew from the EIS process, and put forth its current position prohibiting the transportation of nuclear waste through its land. See Draft Rail EIS at Vol. I, Sec. 2.8, P. S-29. As a result, the Mina Railroad, as an alternative in any form, became non-viable. Nevertheless, the DOE steadfastly categorizes the Mina corridor as its non-preferred alternative. The result is an inadequate EIS with repeated NEPA violations.

NEPA expressly requires that consideration of "reasonable alternatives" be provided in an EIS.¹ See 40 C.F.R. § 1502.14(a) Judicial precedent reinforces the importance of the need to adequately provide

¹ 40 C.F.R. § 1502.14(a): "This section is the heart of the environmental impact statement. Based on the information and analysis presented in the sections on the Affected Environment (§ 1502.15) and the Environmental Consequences (§ 1502.16), it should present the environmental impacts of the proposal and the alternatives in comparative form, thus sharply defining the issues and providing a clear basis for choice among options by the decision maker and the public. In this section agencies shall:
(a) Rigorously explore and objectively evaluate all reasonable alternatives, and for alternatives which were

and make such considerations. That is, "[A] viable but unexamined alternative renders an EIS inadequate." *Resources Ltd. v. Robertson*, 35 F. 3d 1300, 1307 (9th Cir. 1993). By attempting to categorize the Mina Rail Corridor as a non-preferred alternative in the Draft Rail EIS, the DOE is circumventing its express statutory obligation to examine *reasonable* alternatives.

1.2 The "Mostly Truck" Scenario Remains an Alternative

By virtue of the improper non-preferred alternative that THE DOE uses throughout the Draft Rail EIS, truck shipments are nearly entirely unanalyzed. In lieu of a non-existent alternative rail route to the Caliente Corridor, the importance and likelihood of possible truck transport increases substantially. If the Caliente Railroad is never built, truck transport remains an indisputable and viable alternative to rail for shipping high level radioactive waste and spent fuel to Yucca Mountain. If the rail-only TAD canisters are never constructed or approved, rail becomes less likely. If Congress never appropriates full funding for construction of a rail line in Nevada, the majority of rail shipments will pass through Clark County, along with a majority of the truck shipments. In light of the fact that the Nuclear Regulatory Commission has not yet even docketed the DOE's License Application for the proposed repository, the Application before the STB may be premature.

Further, without a showing of sufficient funding by THE DOE to support its request for a common carrier rail line, the STB's efforts in this proceeding will be wasted, and the only alternative remaining for the DOE to consider is a "mostly truck" scenario as contemplated in its original Final Environmental Impact Statement, using existing rail and truck routes, and intermodal transfer stations at strategic locations in Nevada. Either way, Clark County will be impacted. Without a significant

eliminated from detailed study, briefly discuss the reasons for their having been eliminated.

(b) Devote substantial treatment to each alternative considered in detail including the proposed action so that reviewers may evaluate their comparative merits.

(c) Include reasonable alternatives not within the jurisdiction of the lead agency.

(d) Include the alternative of no action.

(e) Identify the agency's preferred alternative or alternatives, if one or more exists, in the draft statement and identify such alternative in the final statement unless another law prohibits the expression of such a preference

(f) Include appropriate mitigation measures not already included in the proposed action or alternatives."

showing of financial ability to construct the railroad, the DOE should be treated like any private carrier and its Application should be rejected as premature.

1.3 The Draft Rail EIS Does Not Address Required Elements

The Draft Rail EIS fails to address the weight, means, routes, habitat impacts and risks associated with highway transport of nuclear waste. In so doing, the DOE violates NEPA and judicially mandated procedures. *See* 40 C.F.R. § 1502.14(a); *see also, NRDC v. Morton*, 458 F.2d 827, (D.C. Cir. 1972) (explaining that an EIS must provide information “sufficient to permit a reasoned choice of alternatives as far as environmental aspects are concerned.”)

Directly related to the use and routing of trucks for transport is the issue of weight. The DOE modified its prior conclusion that trucks carrying high-level nuclear waste would register within the legal weight limit. Instead, the DOE now recognizes that the trucks will be legally overweight (Draft Supplemental EIS). Yet, no true examination of overweight trucks impact on habitat, noise, routes, permits, regulation, penalties or maintenance is included in the Application. It is the authoring agency’s duty to “consider every significant aspect of the environmental impact of a proposed action and evaluate different courses of action.” *Baltimore Gas v. NRDC*, 462 US 87, 97, 103 S.Ct. 2246 (1983).

1.4 The Transport Aging Disposal Canisters (TADs) Have Not Been Adequately Addressed

Insufficient discussion regarding the DOE’s intended use of TADs constitutes a significant departure from NEPA’s requirements. The use of such canisters for transport by rail requires the DOE to evaluate and examine the feasibility of TADs. Yet, in the Draft Rail EIS, the DOE essentially commits to the use of TADs. The relevant EIS indicates that “the DOE would seek NRC certification of the TAD canister design for surface storage at commercial sites and for transportation.” *See* Draft Rail EIS at §.2.2, pg.8 Hence, the DOE has committed to the use of a canister for which no design or approval exists. Such commitment without due consideration and thorough examination of all reasonable alternatives is inappropriate.

2.0 The DOE's Failure to Adequately Consider Rail Security Issues

2.1. Inadequate Analysis of the Threat of Potential Terrorist Attacks against Repository Shipments

The Draft Rail EIS does not address a comprehensive threat assessment to determine the likelihood of a "terrorist attack" against high-level nuclear waste shipments. A comprehensive threat assessment considers the full spectrum of threats (i.e., natural, criminal, terrorist, accidental, etc.) for a given facility, location or activity. The DOE needs to assess or coordinate the assessment of supporting information to evaluate the likelihood of occurrence for a terrorist threat against shipments of high-level nuclear waste to the Yucca Mountain repository.

A primary consideration by potential terrorists is the attractiveness of a target. Transport by rail and highway provides an opportunity to attack and disperse radioactive material. Hence, when considering terrorist threats, developing credible threat packages to enhance capabilities to prevent, protect, respond and recover are critical.

Threat evaluation requires comprehensive threat assessments specific to the proposed high-level nuclear waste shipments. Highway and rail examination should be continually updated in coordination with a variety of agencies.² This threat assessment process should begin immediately and be continuously updated. To date, no such analysis and coordination exists.

The DOE does not appear to be in alignment with other federal agencies in terms of recognizing the likelihood and concern over terrorist threats. The Department of Homeland Security (DHS), the Transportation Safety Administration (TSA), and others, have all worked to address and coordinate terrorism related strategies and regulations. At a minimum, the STB should require the DOE to follow the Federal Railroad Administration's new requirements regarding the use of the safest, most secure route as

² Necessary agencies include Department of Homeland Security, the regional Joint Terrorism Task Forces; Nevada's local FBI field office; the Nevada Department of Public Safety; the State Homeland Security Director, and with local law enforcement agencies throughout the State. Information sharing must include the Nevada Counter Terrorism Center operated by the Las Vegas Metropolitan Police Department and the Northern Fusion Center operated by the Washoe County Sheriff's Office in Reno, Nevada

follows:

Chapter II, subtitle B of title 49 of the Code of Federal Regulations, Section 209.501. Review of rail transportation safety and security route analysis.

(a) Review of route analysis. If the Associate Administrator for Safety determines that a railroad carrier's route selection, analysis and documentation pursuant to section 172.820 of chapter I of this title is deficient and fails to establish that the route chosen by the carrier is the safest and most secure route, the associate Administrator shall issue written notice of review ("Notice") to the railroad carrier. The Notice shall specifically address each deficiency found in the railroad carrier's route analysis. The Notice may also include suggested mitigation measures that the railroad carrier may take to remedy the deficiencies found, including selection of an alternative commercially feasible routing.

2.2 Inadequate Analysis of the Vulnerabilities of Repository Shipments to Terrorist Attacks

The Draft Rail EIS does not contain or address a threat-based vulnerability assessment specific to potential terrorist attacks. According to a recent report by the RAND Corporation, Las Vegas is a probable terrorist target, ranked 9th in the nation (Terrorism Risk Modeling for Intelligence Analysis and Infrastructure Protection, RAND 2007, Pg 29). Las Vegas also ranks high on the Department of Homeland Security's list of Urban Area Security Initiative (UASI) cities at potential risk for terrorist activity.

In March, 2005, the Nevada Commission of Homeland Security (NCHS) identified the need to compile and analyze existing vulnerability assessments of Nevada's Critical Infrastructure and Key Resources (CI/KR). NCHS completed one of the only State Wide Threat-Based Vulnerability Assessments in 2006. In August of 2005, Nevada completed an initial vulnerability assessment. The assessment included a review of Nevada's capabilities to prevent, protect, respond to, and recover from terrorist attacks, major disasters, and other emergencies. This assessment did not include the proposed Yucca Mountain facility or the transport of high-level nuclear waste throughout the State since funding

was limited. The DOE has not offered any such assessments.

2.3 Inadequate Assessment of Consequences of a Successful Terrorist Attack

The Draft Rail EIS does not adequately assess the consequences of a successful terrorist attack against high-level nuclear waste shipments along the Caliente and Mina Rail Corridor. The DOE failed to present detailed rail alignment design maps and plan views, including vertical profiles, for the Caliente and Mina preferred alignments and alternative segments. The Draft Rail EIS does not include a tactical route assessment for the purpose of insuring secure transport and tactical or emergency response access for crisis response to high-level nuclear waste incident.

The Draft Rail EIS does not appear to include a tactical route and terrain assessment by qualified subject matter experts (SMEs) of Caliente and Mina Rail Corridor that considers a potential terrorist attack from an adversarial or terrorist perspective. It should include plans and costs associated with protecting the rail lines and transport of high-level nuclear waste materials by avoiding the terrain that lends itself to natural ambush sites (overhead imagery should be studied and included). The DOE should consider including secure cut and cover facilities off the main line in various locations along the two corridors. These secure facilities should be designed to provide defensible positions and safe-havens for high-level nuclear waste material shipments. Such facilities would buy precious time for a response from the Office of Secure Transportation's (OST) Special Response Force (SRF) or State and local law enforcement agencies. The DOE should consider state-of-the-art technology to assist in protecting the transport of nuclear material. Consideration should be given to ground motion sensors, closed circuit television cameras (CCTV), route reconnaissance by Unmanned Aerial Vehicles (UAVs) and any other technologies that can provide increased security and early warning of an imminent attack.

2.4 Vulnerability Regarding Logistics and Infrastructure

Nevada has compiled "open source" information that references the casks currently used for transport of high-level nuclear waste. This information includes specifications and design data of the Global Atomics GA-4 and GA-9 casks, as well as engineer test reports on the performance failures of the TADs and information on the MPC (Multi-purpose Canister). Upon cross referencing the

canister/cask design data with the weapons effects data, it is clear that high-level nuclear waste shipments are potentially vulnerable to terrorist attacks using anti-tank/armor weapons systems and other explosive technologies.

Additionally the DOE has not identified a plan to coordinate information and intelligence sharing efforts with the DHS funded State and Local Fusion Centers. As of March 2008 there are 58 State and Local Information and Intelligence Fusion Centers throughout the United States of which two reside in the State of Nevada. These fusion centers are designed to provide critical information and intelligence about state and local identified threats up to the Federal Agencies. The lack of a DOE plan to integrate into this information sharing network illustrates the DOE's lack of planning and assessing the vulnerabilities of high-level nuclear waste shipments to terrorist attacks.

2.5 The Draft Rail EIS Does not Address the Need to Increase the DOE "Protective Forces"

The OST has limited resources to execute its mission under the current operations tempo. There are only 420 Special Federal Agents in the OST "Protective Force". The primary mission of these agents is to safeguard and secure Nuclear Weapons and Special Nuclear Material. Similarly, the mission of the "Special Response Force" (SRF) is to capture and recover Nuclear Weapons and Special Nuclear Material. The two missions leave limited resources, if any, to secure the proposed increase of high-level nuclear waste shipments. This problem is further exacerbated by the DOE's lack of rotary-wing assets. The DOE has no helicopters to support the tactical response of the OST Special Response Force. The Draft Rail EIS does not appear to address the need for increased security assets, funding and manpower.

3. 0 The DOE's Failure to Adequately Address Public Safety and Emergency Management

3.1 The DOE Fails to Acknowledge Impacts on Emergency Management System and First Responders

Clark County has explicitly requested that the DOE examine impacts on the County's public safety and emergency management system from the transportation of HLNW through or near the County.

Clark County's formal comment on the deficiencies of the lack of analysis by the DOE began with the scoping of the various EIS's in 1995. The County also asserted concerns and recommendations for studying these impacts in comments submitted regarding the Draft Rail EIS and for the DSEIS for a Geologic Repository.

In commenting on the deficiencies of the two EIS's, the County noted that the DOE failed to include a viable alternative to the Caliente rail route, which made the likelihood of a large truck transportation campaign through Clark County more probable. The State of Nevada agreed, and reiterated that the number of rail and truck shipments through Clark County would increase substantially if the Caliente rail route could not be constructed. Hence, while the DOE estimated approximately 8% of the total rail rail-cask shipments would travel through Las Vegas on the Union Pacific line under the proposal, the failure of the Caliente line would increase this rail traffic to about 45% of the total rail cask shipments according to the State of Nevada.³ *See State of Nevada Comments on the "Draft Rail EIS" at P.8.*

3.2 The DOE Fails to Evaluate the Degree of Impact on Emergency Management

The vulnerability of the Clark County Public Safety system and its emergency management capacity has never received significant analysis by the DOE in any of its impact assessment reports. This analytical void persists despite the continued insistence by Clark County, its local jurisdictions and

³ The truck shipments would like wise increase through Clark County and the City of Las Vegas increasing from the 5,025 shipments estimated by the State without a second Repository being constructed to a far larger number without a rail route.

the State of Nevada.⁴ The magnitude of the dollar cost estimates provided by these Clark County studies demonstrates a large public safety need for personnel, equipment and training because of the nature of the shipments.

The DOE has failed to consider potential impacts on the public safety system in Clark County, or evaluate the status of existing critical infrastructure and key resources (CI-KR) in Clark County. Clark County is undertaking the inventorying of its critical infrastructure and key resources utilizing the Department of Homeland Security guidelines. By having its CI-KR accessible and geo-coded for public safety personnel and responders, the County will be better able to prepare for and respond to incidents involving HLNW. Yet, no examination of response, resources or needs relative to safety disasters is included in the Application.

3.3 The DOE Fails to Establish Necessary Standards for the Public Safety Community

The DOE plans on providing training to emergency response personnel through the Modular Response Radiological Transportation Training (MERRTT) and by using train-the-trainer dissemination methods. This MERRTT program is a 16 hour (2 day) program designed to enhance existing emergency response capabilities to radiological materials incidents. Current Nevada and Clark County responders and public safety personnel training varies significantly depending on the job description of an individual, and the amount of hazardous materials capacity among responders in a jurisdiction. Requirements in 29 CFR 1910.120 mandate that all first responders receive hazardous materials training prior to being placed in the field. The level of training among most first responders, depending

⁴ Clark County has undertaken such impact assessments beginning with a 1998/1999 study that was published by Clark County in 2001. *See generally, Impacts to Clark County, NV Public Safety Agencies Resulting from the Yucca Mountain Project - 2001*. The studies concluded that the DOE is refusing to recognize that the impacts on Clark County constitute unfunded mandates by the DOE (*Impacts to Clark County, NV and Local Governmental Public Safety Agencies Resulting from the Transportation of High Level Nuclear Waste to Yucca Mountain - 2005*). These studies also use scenarios to provide responders with potential events (Maximum Reasonable Feasible Accidents involving both rail and truck, or a terrorist incident in the case of the 2008 study) in order to aid them in determining whether their current planning, training equipment and response capacity is adequate to protect the public or whether additional resources would be needed. This method enables estimation of costs resulting from upgrades to equipment, personnel and training.

on their function varies in Nevada between forty (40) and three hundred (300) hours.

The DOE has not carried out an assessment of current capacity at the local level. Additionally, the DOE is unaware of the current level of training with regard to hazardous materials and radiological materials—particularly in Clark County and rural counties in Nevada. Therefore, the DOE has no method of determining the level of training needs among different types of first responders.⁵ The DOE does not know if its MERRTT training is sufficient because needs will vary according to past training and the first responder's job responsibilities. Finally, training-the-trainer must be tracked to make certain that the requisite level of personnel receive training based on need and job function. The DOE has not addressed these needs in their application.

4.0 The DOE's Failure to Adequately Identify and Address Risks and Impacts

4.1 The DOE Fails to Adequately Evaluate and Address Perceived Risk and Stigma

The DOE asserts that "only a qualitative assessment is possible" when estimating perception-based impacts. *See FSEIS for the Yucca Mountain Repository at S. 2, P. 2-88.* This assertion is incorrect and ignores significant publications that indicate otherwise. Models that address anticipated human response have evolved to ensure that a quantitative analysis is possible. More specifically, vehicles for collection and methodologies for estimating future impacts on property values were executed using survey based research that queried financial institutions.⁶ In another model supporting these findings, the researchers found:

"In addition, a full accounting of economic impacts can be reached through modeling forward and backward linkage, the degree of re-spending of dollars with an economy, and spending

⁵ For example: fire, emergency managers, emergency medical services, police, hospital, emergency communication centers, public health, and public works in different areas of the State and in Clark County.

⁶ *See "Clark County Property Value Report on the Effects of the DOE's Proposal to Ship High Level Nuclear Waste To a Repository at Yucca Mountain" (UER 2001)*

leakages. Input-output and econometric models have proved useful in accomplishing this task for studying the full impacts of changes in regional economies.”

See REMI Analysis Utilizing UER Property Losses to Determine to Determine Economic Impacts on Clark County Scenarios, R. Keith Schwer (2001)

Clark County’s findings on the importance of adequately addressing socioeconomic impacts were further supported by the report issued in 2005 by the National Academy of Sciences entitled “*Going the Distance*,” which encouraged the THE DOE to pay attention to social impacts associated which may result from this project.

The existence of objective models to measure perceived risk do exist, and the literature addressing assessment of stigma impacts is abundant. In its January, 2008 “Comments on the Draft Rail EIS,” the State of Nevada concurred noting that substantial research addressing the connection between risk and social behaviors has developed in the last twenty years. *See State of Nevada Comments on the Draft Rail EIS*, 2008. In essence, the DOE is attempting to circumvent a necessary analysis of perceived risk and stigma—two subjects that require thorough consideration prior to approval of the DOE’s Application.

4.2 THE DOE Fails to Adequately Address Cumulative Impacts

The Department of Energy does not adequately address cumulative impacts in its Draft Rail EIS, and does not appear to raise them in its Application. Potential impacts of the DOE’s Application on the Nevada Test Site operations, Nellis Air Force Base, and Creech Air Force Base operations have not been adequately addressed. Furthermore, a proposal for rail construction set forth by the Nevada Central Railroad, which purports to involve Clark County, does not appear to have been addressed.

CONCLUSION

Clark County is both directly and indirectly impacted by the outcomes of this Application. Clark County plays a critical role in regional first response and emergency management, protection of critical infrastructure including transportation, and, most importantly, provides the majority of revenue and economic base for the benefit of the entire state of Nevada. Any suggestions or alternatives provided herein should not be construed to be implied consent to the DOE's STB Application, to the proposed Yucca Mountain repository or transportation to it.

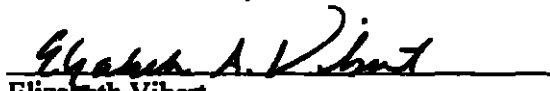
- In light of the lack of an NRC authorization to construct the repository, the Application before the STB should be rejected as premature.**
- If the STB chooses to continue its review and consideration of the Application, Clark County respectfully requests oral arguments and a public hearing on the merits of the application, preferably to take place in Nevada.**
- If the STB chooses to approve the Application, Clark County respectfully requests that the STB treat the DOE as it would a private rail operator and require, among other things, operating plans which demonstrate funding viability to construct and operate the rail line, as well as sufficient funding to fully identify and mitigate impacts for the duration of the shipping campaign.**
- If the STB chooses to approve the Application, the DOE should be required to demonstrate the ability to fund adequate public safety and emergency management costs for, at a minimum, the training and technical assistance to first responders which is required under Section 180(c) of the NWPAA.**

- The STB should coordinate with other related federal agencies including the TSA and the FRA, and specifically should be required to follow the FRA's new safety regulation.
- If the STB chooses to approve the Application with conditions providing mitigation, Clark County requests the opportunity to comment on any potential mitigation in favor of another entity which may adversely impact Clark County in terms of public safety, transportation security, land use conflicts, or other potential economic or environmental concerns.

Thank you for the opportunity to comment on this Application.

Respectfully Submitted,

DAVID ROGER, DISTRICT ATTORNEY
CLARK COUNTY, NEVADA


Elizabeth Vibert
Deputy District Attorney

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 15th day of July, 2008, a true and correct copy of the foregoing Clark County's Comments to the DOE Application was served on the following additional parties or counsel of record and others identified below and listed in the service list attached, by (1) first-class U.S. mail, postage prepaid, (2) e-mail as shown, or (3) other expeditious method. Such Notice constitutes all filings submitted so far in this proceeding.

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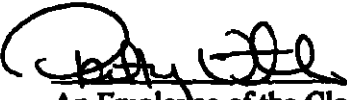
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 Carson City, NV 89703-4152

Non-Party: **Strell, Ethan**
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Non-Party: **Whipple, Bret**
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 Las Vegas, NV 89104



An Employee of the Clark County,
Nevada District Attorney's Office-
Civil Division

RESOLUTION

THAT THE BOARD OF COUNTY COMMISSIONERS AFFIRM THEIR CONTINUED OPPOSITION TO THE LICENSING, CONSTRUCTION, AND OPERATION OF A HIGH-LEVEL NUCLEAR WASTE REPOSITORY AT YUCCA MOUNTAIN, NEVADA, ACTIVELY PARTICIPATE IN LICENSING AND RELATED PROCEEDINGS, AND DESIGNATE THE MONTH OF JUNE 2008 "YUCCA MOUNTAIN AWARENESS MONTH"

WHEREAS, the Nuclear Waste Policy Act of 1982 established a process and time schedule for the establishment of the nation's first geologic repository for the permanent disposal of spent commercial nuclear fuel and high-level nuclear waste; and

WHEREAS, on December 22, 1987, the Congress of the United States amended the Nuclear Waste Policy Act of 1982, identifying Yucca Mountain in Nye County, Nevada, as the sole site to be characterized as a permanent repository for the storage of spent commercial nuclear fuel and high-level nuclear waste and designated Clark County as an "affected unit of local government;" and

WHEREAS, the health, safety, and security of Clark County residents and visitors are of the highest priority, the Clark County Board of Commissioners has been steadfast and diligent in its efforts to assess, prepare for, and monitor impacts to public health, safety and security; and

WHEREAS, the U.S. Department of Energy (DOE) has expressed its intent to construct a 300 mile common-carrier rail line through Nevada to facilitate shipments to the repository; and

WHEREAS, the transportation by rail or by truck of high-level radioactive waste and spent nuclear fuel through Clark County resulting from the "mostly rail" transportation plans described in the DOE's Environmental Impact Statements would potentially pose a significant threat to residents, businesses, and visitors; and

WHEREAS, because of these actions and proposed actions, Clark County Board of Commissioners approved Resolutions on January 8, 1985, April 5, 1988, March 7, 2000, March 5, 2002, and August 3, 2004 opposing the proposed repository; and

WHEREAS, since the 2002 site recommendation by the Secretary of Energy, President George W. Bush, and the Congress singling out Yucca Mountain as the only site to move forward to a licensing proceeding, the DOE has been focused on preparing a license application for submittal to the U.S. Nuclear Regulatory Commission (NRC), and

WHEREAS, the DOE has declared its intent to submit a license application for the construction and operation of the Yucca Mountain repository in June 2008; and

WHEREAS, Clark County intends to actively participate in the upcoming licensing proceeding as evidenced by the certification of its document collection in the NRC's License Support Network as was required by January 17, 2008; and

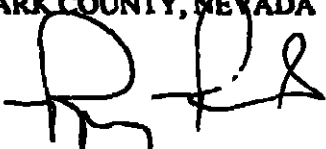
WHEREAS, the citizens of Clark County have consistently expressed significant opposition to the proposed repository at Yucca Mountain and construction to it for over two decades, and have expressed a desire that Clark County play an active role in the licensing proceedings.

NOW THEREFORE, BE IT RESOLVED, that:

1. The Board of County Commissioners affirms its continued opposition to the licensing, construction, and operation of a high-level nuclear waste repository at Yucca Mountain in Nye County, Nevada; and
2. That the month of June 2008 be declared "Yucca Mountain Awareness Month" to provide the citizens of Clark County opportunities to be informed, be involved, and be heard on this critical issue; and
3. That, if the NRC files a Notice of Intent to Docket the DOE's license application, the Board of County Commissioners intends to submit a petition to become an Intervenor in the upcoming licensing proceeding before the Atomic Safety Licensing Board (NRC); and
4. That the Board of County Commissioners intends to participate as an Intervenor in the U.S. Surface Transportation Board proceedings regarding the proposed Caliente Rail Line.

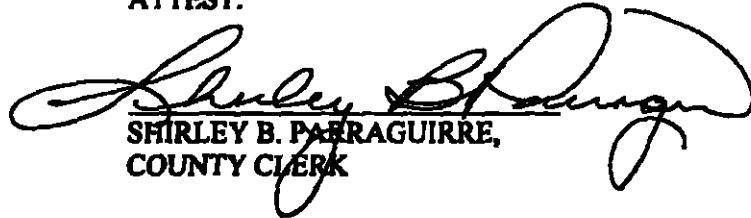
PASSED, ADOPTED, AND APPROVED THIS 3rd day of June 2008.

CLARK COUNTY, NEVADA

By: 

RORY REID, CHAIRMAN
BOARD OF COUNTY COMMISSIONERS

ATTEST:


SHIRLEY B. PARRAGUIRRE,
COUNTY CLERK

ATTACHMENT 2



Department of Comprehensive Planning

500 S Grand Central Pky • Ste 3012 • Box 551741 • Las Vegas NV 89155-1741
(702) 455-4314 • Fax (702) 385-8940

Barbara Ginoulas, Director • Rod Alkon, Assistant Director

January 10, 2008

Dr. Jane Summerson and Mr. M. Lee Bishop
U.S. Department of Energy
Office of Civilian Radioactive Waste Management
1551 Hillshire Drive
Las Vegas, NV 89134

Dear Dr. Summerson and Mr. Bishop:

Clark County hereby submits its comments and concerns regarding the following documents:

- "Draft Supplemental Environmental Impact Statement for a Geologic Repository for the Disposal of Spent Nuclear Fuel and High-Level Radioactive Waste at Yucca Mountain, Nye County, Nevada" (DOE/EIS-0250F-S1D)
- "Draft Supplemental Environmental Impact Statement for a Geologic Repository for the Disposal of Spent Nuclear Fuel and High-Level Radioactive Waste at Yucca Mountain, Nye County, Nevada – Nevada Rail Transportation Corridor" (DOE/EIS-0250F-S2D)
- "Draft Environmental Impact Statement for a Rail Alignment for the Construction and Operation of a Railroad in Nevada to a Geological Repository at Yucca Mountain, Nye County, Nevada" (DOE/EIS-0369D)

Summary/Background

Clark County, Nevada is an "affected unit of local government" pursuant to the Nuclear Waste Policy Act as amended. Clark County has been an active participant in the oversight program of the proposed Yucca Mountain nuclear waste repository since 1988. Since 1985, the Clark County Board of Commissioners passed numerous resolutions expressing opposition to the Yucca Mountain Repository and the related shipment of high-level nuclear waste and spent nuclear fuel. Clark County, at a population of 2 million, is nearly 8,000 square miles in size, with a government structure that is comprised of a unique mix of urban, rural, and regional responsibilities. Potential transportation routes located within Clark County identified in the Draft Rail Corridor EIS include Interstate 15, U.S. Highway 93, U.S. Highway 95, the Las Vegas Beltway, and the Union Pacific Railroad. Transportation related incidents or accidents along these corridors would rely on Clark County's first responders for support. Further, Clark County's role as a regional first responder requires public safety personnel to respond to incidents in cities, counties, and states with which Clark County has mutual aid agreements for service provision.

Based on two decades of socioeconomic studies and technical analyses, Clark County officials believe that potential safety or security failures by DOE could have a devastating impact on

BOARD OF COUNTY COMMISSIONERS
RORY REID, Chairman • CHIP MAXFIELD, Vice-Chairman
SUSAN BRAGER • TOM COLLINS • CHRIS GIUNCHIGLIANI • LAWRENCE WEEKLY • BRUCE L. WOODBURY
VIRGINIA VALENTINE, P.E., County Manager

Clark County residents' health, safety, and economic well-being, especially in the area of stigma related impacts like property values and tourism. The DOE's NEPA documents do not include an adequate analysis of potential socioeconomic impacts. Impacts to Clark County are severely downplayed and fail to acknowledge Clark County's dynamic nature, unique status, and global recognition.

Primary areas of concern over the proposed repository, and specifically the subject EIS documents, are related to public health and safety, and focus on rail and highway transportation, and emergency management. In addition, there is uncertainty about DOE's ability to provide adequate project management to ensure long-term public health and safety, and the safety and integrity of the proposed repository to store and contain waste in the near term and into the distant future.

Draft Supplemental Environmental Impact Statement (DSEIS) for a Geologic Repository for the Disposal of Spent Nuclear Fuel and High-Level Radioactive Waste at Yucca Mountain, Nye County, Nevada

Proposed Action

The DSEIS fails to identify key facilities including the solid waste landfill, explosive storage area, borrow pits and cask maintenance facility which will be required to support the repository. Further, the DSEIS indicates that the cask maintenance facility could be located anywhere along the Caliente rail corridor, but limits the analysis to the rail maintenance yard. It is not reasonable to determine the extent of impacts without bounding the analysis geographically.

Cumulative Impacts

Cumulative impacts to Clark County have not been adequately addressed in the DSEIS. The DSEIS does not meet the requirements for addressing such impacts under NEPA. "NEPA requires that where several actions have a cumulative or synergistic environmental effect, this consequence must be considered in an EIS." *Sierra Club v. Perford*, 857 F.2d 1307, 1320-21 (9th Cir. 1988) ("cumulative impact is defined in 40 CFR § 1508.7 (1989)) It is the authoring agency's duty to "consider every significant aspect of the environmental impact of a proposed action and evaluate different courses of action." *Baltimore Gas v. NRDC*, 462 US 87, 97, 103 S.Ct. 2246 (1983). The cumulative analysis presented must provide sufficient information to indicate DOE has taken a "hard look" at the cumulative environmental impacts of the project. *Oregon Natural Resources Council v. Marsh*, 52 F.3d 1485 (9th Cir. 1995)

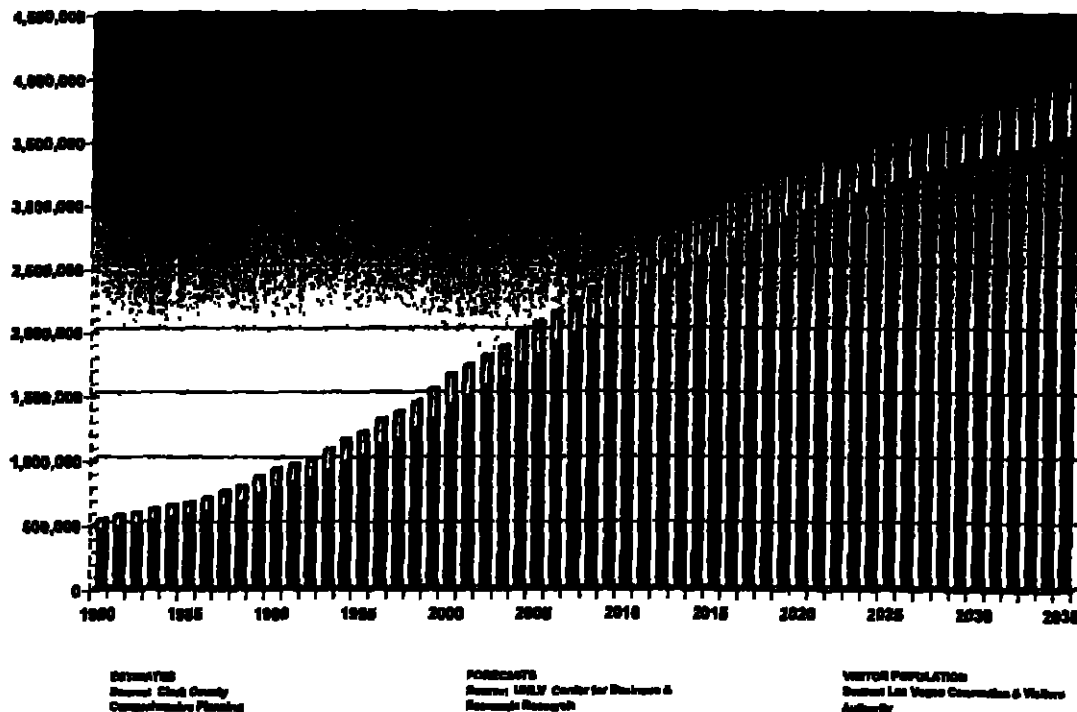
The White House Council on Environmental Quality (CEQ) went so far as to actually list eight different types of cumulative effects that ought to be examined: 1) Time Crowding; 2) Time lags; 3) Space Crowding; 4) Cross Boundary; 5) Fragmentation; 6) Compounding Effects; 7) Indirect Effects and 8) Triggers and Thresholds. See Council on Environmental Quality (1997).

The cumulative impacts analysis in the DSEIS is deficient in a number of these respects. The DSEIS description of "Reasonably Foreseeable Future Actions" seriously underestimates future growth pressures throughout southern Nevada (DSEIS 8.1.2, pg 8-3). While Nevada has continued to experience the highest growth levels within the nation for over a decade, 85 percent of its land is managed by the federal government. This has repeatedly put inflationary pressures on land values and is already resulting in significant residential growth in the areas

north and west of the Las Vegas Valley. Clark County's population has increased by more than 5,000 people every month since the early 1990's. Continued growth within southern Nevada is expected for more than twenty years. Clark County's current population is 2 million, and is expected to increase to 3 million by the time the first Yucca Mountain shipment is anticipated. In addition to this explosive population growth, visitor populations continue to increase. On any given day, 250,000 visitors are in the Las Vegas area. McCarran Airport, the sixth busiest in the country, is owned and operated by Clark County. Over the next five years, airport traffic is expected to increase to over 50 million annual passengers, up from the current level of 46 million. Planned expansion of airport operations in the south county's Ivanpah Valley will be directly impacted by transportation to the repository, due to its proximity to I-15 and the Union Pacific Railroad main line, yet this has not been addressed in the NEPA documents. For that matter, potential impacts to McCarran Airport operations, located in close proximity to the Las Vegas Beltway and I-15, have also not been addressed.

These demographic considerations are not given adequate consideration in the DSEIS. The following graph illustrates growth trends described above:

**Clark County Resident and Visitor Population
1980 - 2036**



The DSEIS also falls short in its assessment of potential cumulative impacts as they relate to Nellis Air Force Base. For many years, Nellis Air Force Base (including the Creech Air Force Base and the Nevada Test and Training Range) has been a significant contributor to the nation's defense capabilities as well as an important contributor to Nevada's economy. The

Department of Defense has consistently expressed concern over impacts to Air Force operations as a result of proposed operations at the repository site as well as transportation to the repository adjacent to or potentially traversing Air Force property. In addition, potential impacts to the rural community of Indian Springs have not been specifically addressed. Indian Springs, the closest Clark County community to Yucca Mountain, is located directly across U.S. 95 from Creech Air Force Base. Any major mission alteration that moves Air Force operations closer to Indian Springs will likely impact the quality of life of the residents of the community. Further, Nevada Test Site operations already impact this community, which must prepare and respond to potential transportation incidents while relying on Clark County's volunteer public safety personnel. Despite repeated calls for better analysis and acknowledgment of the potential for aircraft crashes from Air Force operations, the DOE has not yet adequately addressed this issue critical to public safety and homeland security.

Both rural and urban land use conflicts and evolving trends in land use are not adequately considered in the DSEIS. Cumulative impacts will be exacerbated as land use density increases. Growth patterns and trends in Clark County reflect a shift from "rural" to "suburban" in several of Clark County's outlying communities, many of which are located adjacent to potential transportation routes. Further, the established trend towards "mixed use" and "high impact projects" along the Las Vegas Strip increase the potential for risk of human exposure to radiation within the region of influence that will be impacted by shipments to Yucca Mountain. Clark County public safety studies, including its March 2007 Commodity Flow Study, clearly establish a basis for concern over cumulative impacts.

Incomplete and Inadequately Supported Analysis

Throughout the DSEIS there are numerous examples where supporting references and documentation are not cited or incorrectly referenced. DOE's analysis does not incorporate the most updated information. One example of this is in section 3.1.3.3, DOE does not use the latest National Seismic Hazard Map.

Another example is where the DOE discusses: "The data source [for non-radiological impacts to workers] is the DOE Computerized Accident/Incident Reporting System (CAIRS). A compilation of data from DOE and DOE contractor operations, CAIRS contains annual numbers of total recordable cases and lost workday cases and the incidence rates per 100 full-time equivalent worker years (DSEIS Summary, pg. 9)." No justification for the applicability to Yucca Mountain operations is provided.

Yet another example is: "This Repository SEIS estimated that public exposures to cristobalite and public and worker exposures to erionite would be very small (DSEIS Summary, pg. S-30)." No qualitative or analytical basis for this claim is provided.

Despite significant attention to the issue of worker exposure to silica dust after the initial repository EIS and site recommendation, the DOE has once again ignored this critical worker safety and air quality issue.

The section on Radiological Impacts gives two reasons for modifying the FEIS analyses and both lead to an increase in radiological consequences. It is strange then that some of the results in the Rail SEIS go down (DSEIS Section 3.1.7.2 and DSEIS Summary, pg. S-30).

Doses are provided without a calculational basis (DSEIS Summary, pg. S-31). Scenarios are described with no basis for their selection provided (DSEIS Summary, pg. S-32).

The calculational or theoretical or judgmental basis for the conclusions of this section are not provided for section S 3 2 2 1 Human Intrusion (DSEIS Summary, pg S-40)

Occupational and Public Health and Safety

DOE does not acknowledge the important role Clark County will play in occupational and public health and safety. Adequate medical care does not exist in Nye County to support potential accidents at the site or during rail construction. Clark County's University Medical Center (UMC), located in Las Vegas, has been acknowledged by DOE in public meetings as the preferred location for addressing worker and public injuries resulting from the repository. UMC operates as a regional provider of emergency, trauma, burn, and decontamination services. The burden for providing these services will remain a Clark County responsibility and concern unless DOE and/or Nye County is able to fully support any potential accidents, incidents, or long term care for individuals requiring medical services as a result of the repository operation or rail construction.

It appears that the risk assessment in the two EIS documents has been internally evaluated against DOE criteria. There are many other guidelines for risk assessment (e.g., USNRC, US Army, National Research Council, NASA, ASME, ANS, AIChE, and others nationally and internationally) and the analysis, as presented, will not stand up as well to those criteria. While the analyses appear to follow standard modeling approaches, there are errors in the presentation, missing units in tables of results in the Summaries, errors in the example calculations provided in the Appendices, and a lack of consideration of uncertainties. Rather than a full spectrum of accident scenarios, DOE has often selected a representative scenario. There are statements of assumptions, without justification or consideration of the extent of possible error. There are claims of conservatism in a calculation, when one aspect is treated conservatively and others have wide potential uncertainty that is not acknowledged. Such problems do not mean that the risk is high, however, they do not enhance confidence in the analysis.

The most complete presentation of the approach to risk assessment appears in Appendix E of the Repository EIS. However, the introductory paragraphs call the relevance of the reported analysis into question:

"Since the completion of the Yucca Mountain FEIS, the Department has modified the design and operating philosophy for the repository. DOE would now use phased construction of multiple surface facilities, and most of the commercial spent nuclear fuel would arrive in transport, aging, and disposal (TAD) canisters. DOE has reevaluated the potential for repository accidents for this Repository SEIS. In addition, the Department has identified accident scenarios based on the current design and operating philosophy (1) to evaluate their impacts to support the application for construction authorization and (2) to assess whether the repository would comply with regulatory limits on radiation exposure to workers and the public from accidental releases of radionuclides. To meet licensing requirements, the results from the accident analysis will be more specific and comprehensive than those in this appendix and they will reflect a more fully developed repository design and operational details. [italics added] To be consistent with the current design and operating philosophy, DOE revised the Yucca Mountain FEIS accident analyses, which now reflect the data and accident modeling changes."

Thus it appears that DOE has revised the analyses for the repository beyond that reported in the DSEIS. If so, that information is required before the work can be evaluated. In addition, there are a number of places in Appendix E, where DOE claims redesign will eliminate risk, a

method to track this later to ensure that it is accomplished would increase confidence that this is the case. Some of these claims seem to assume that once a policy or procedure is in place, no one will ever violate it intentionally or accidentally. For example, a flight-restricted airspace around the repository does not ensure any aircraft with or without weapons will fly there; it simply reduces the likelihood of such an event.

In addition, decreases in risk are not fully explained in the DSEIS, although increases are. Risk calculations use simplified average techniques that might not properly represent the risk in populated vs. open country. Some methods, e.g., human reliability analysis, may not be appropriate for processing facility applications. Further, it is unclear how the median total dose was determined in Section F.4.3. Section 4.2.1.2 notes that the dose under the igneous intrusion scenario has increased from the FEIS but there is limited discussion and no documentation as to the reduction of the dose under the extrusive scenario.

The treatment of scenarios in the repository does not appear to include possible human interactions and errors. Experience in other hazardous material processing facilities (e.g., the U.S. Army's chemical weapons destruction program) has demonstrated problems with remote handling equipment that have required human intervention and maintenance and, during restoration from such intervention, errors have led to accidents and serious events. No descriptions of such considerations have been provided.

The discussion of sabotage on the bottom of page S-43 claims that DOE has evaluated events in which a modern weapon would penetrate a spent nuclear fuel cask. They give results in terms of latent cancer fatalities, but provide no analysis to support the result. Appendix E only describes the airplane crash scenario (DSEIS Summary, pg. S-43).

Currently, there is limited discussion and no supporting analysis or documentation to explain or support this change in the DSEIS. It is unclear how the proposed Global Nuclear Energy Partnership (GNEP) program which proposes to reduce the volume and toxicity of waste, will affect the preclosure monitoring period. In recent reviews by the National Academy of Sciences and the Nuclear Waste Technical Review Board, both have noted that the time necessary to develop effective technologies to reduce the volume and toxicity of radioactive wastes is likely to be greater than 40 to 80 years. This would seem to support a longer period of preclosure monitoring.

The only information provided by the DSEIS that may explain DOE's rationale for the reduction of the time period for preclosure monitoring is found in the Appendix (DSEIS Volume II, A.5, pgs A-19 to A-23). Within this appendix, DOE discusses an extended alternative monitoring period of 250 years and compares potential impacts between these alternatives. DOE notes that extended monitoring period would increase the radiological and nonradiological hazards particularly for workers at the site. While this may explain DOE's rationale for the proposed change, it is not explicitly discussed and should be. Further, given the rapid growth that Nevada has continued to experience over the last two decades, population forecasts indicate that there will be significantly more population in the surrounding communities and counties that could be impacted by an extended preclosure monitoring period. While the Repository DSEIS uses more current information than incorporated into the FEIS, it continues to ignore the most accurate estimates for future growth that are available from the State of Nevada and local governments, including Clark County. (See p. 3 of Clark County comments.)

Repository Closure

In contrast to their approach to preclosure monitoring, DOE argues that the repository preclosure plan should not be delineated until they file the license amendment for closure with the NRC so that they can allow for "identification of appropriate technology, which would include technology that might not be currently available" (DSEIS 2.1.6, pg 2-41). While flexibility to incorporate new technological advancements may be appropriate, there does not appear to be methodological consistency on this issue through the various phases of the project. This lack of consistency contributes to a sense that DOE has not clearly thought through how it is going to implement the project. DOE needs to revisit its methodological approach to ensure consistency. As currently delineated in the DSEIS, DOE appears to be rushing towards licensing without sufficient information to properly delineate how it even plans to manage the program.

The DOE needs to do a better job explaining the role and contribution of the drip shields to repository performance. Due to the proposed shortened time anticipated before closure of the repository, the expected revisions to the TSPA, the unknown impact of the revised EPA (not yet released) standard, the uncertainty surrounding the drip shields must be addressed. It is not currently evident that the DSEIS, TSPA, and repository closure plan are aligned to sufficiently satisfy the licensing requirements and stakeholder concerns over long term, post closure repository performance.

Draft Supplemental Environmental Impact Statement for a Geologic Repository for the Disposal of Spent Nuclear Fuel and High-Level Radioactive Waste at Yucca Mountain, Nye County, Nevada – Nevada Rail Transportation Corridor" (DOE/EIS-0250F-S2D) and "Draft Environmental Impact Statement for a Rail Alignment for the Construction and Operation of a Railroad in Nevada to a Geological Repository at Yucca Mountain, Nye County, Nevada" (DOE/EIS-0369D)

Caliente vs. Mina Rail Corridor

The Draft Rail Alignment EIS states unequivocally. "DOE has identified the Mina rail corridor and the Mina Implementing Alternative as non-preferred in the Draft Rail Alignment EIS." Draft Rail Alignment EIS, § S.2.9, P S-30. Yet, the Mina rail corridor is neither a realistic nor reasonable alternative for purposes of EIS consideration. As DOE knows and mentions in the Summary Report of Nevada Rail Corridor EIS and Draft Rail Alignment EIS (pg S-30, par.2), the Walker River Paiute Tribe withdrew any support that existed for the Mina Rail Corridor to run through tribal lands on April 17, 2007. The Ninth Circuit made it quite clear in *Tenake Springs v. Clough* that "NEPA requires that an agency 'rigorously explore and objectively evaluate all reasonable alternatives to a proposed action.'" 915 F.2d 1308, 1310 (*citing* 40 C.F.R. § 1502.14(a) (1989); 42 U.S.C. § 4332(2) (C) (iii) (2) (E)). That the DOE steadfastly insists on categorizing a non-existent alternative as a "non-preferred" alternative must not be overlooked. The reality that remains is the Caliente Corridor is the only possible rail means identified or discussed for the requisite transport of spent nuclear fuel, and judicially mandated discussion of alternatives is neither rigorous nor objective in the relevant EIS's.

Trucks

In lieu of a non-existent alternative rail route to the Caliente Corridor, the importance of possible truck transport increases substantially. Thus, recipients of the DSEIS rightfully should expect consistent and elaborate discussion of the weight, means, routes, habitat impacts, and risks associated with highway transport of spent nuclear fuel. Unfortunately, the DSEIS and Draft Rail EIS lack both consistency and depth of explanation in these topic areas. This practice in the current DSEIS and Draft Rail EIS flies in the face of what prior courts have required. Specifically, "[W]hat is required is information sufficient to permit a reasoned choice of alternatives as far as environmental aspects are concerned." *NRDC v. Morton*, 458 F.2d 827, (D.C. Cir. 1972).

Transport, Aging, and Disposal Canisters (TADS)

The EIS makes cursory mention of DOE's intent to use TADs to minimize risks of handling the spent fuel on site or at pre-determined handling sites, yet fails to discuss the presence and/or absence of uniform TAD-able holding canisters. The SEIS indicates that "DOE would seek NRC certification of the TAD canister design for surface storage at commercial sites and for transportation." (SEIS, S.2.2, pg.8). The use of the conditional term "would" suggests DOE has committed to storing and transporting the spent nuclear fuel in a canister that has yet to be approved for either storage or transport.

Inadequate discussion takes place regarding the overall impact resulting from the uniform use of TADs. Also, there is no clear identification of the consequences to post closure performance or the use of TADS.

Threshold Weight

What is clear, however, is that the previous estimate in the Yucca Mountain FEIS, which suggested trucks carrying casks would have weights less than 36,000 kilograms (80,000 pounds), is a vast underestimation. On page 6-5 of the DSEIS, the nature of the underestimation is quantified. "DOE has determined that trucks that carried casks would be more likely to have gross vehicle weights in the range of 36,000 to 52,000 kilograms (80,000 to 115,000 pounds)." The legal threshold for "legal-weight" trucks is 36,000 kilograms. Thus, each and every truck over the said threshold would have to be subject to the overweight permit requirements of each state traversed.

The impact of the overweight loads on Clark County highways and roads is not discussed in the DSEIS. The impact of such loads on potential hazards resulting from accident, sabotage or general human error is not discussed. The routes available for the transportation for overweight trucks are not discussed. Stated otherwise, the DSEIS lacks any substantive discussion of the nature, scope and duration of environmental impact overweight loads will or could have during the course of the relevant transportation of spent nuclear fuel. That the DOE identified highway trucking as an alternative means of transportation (and apparently it may be the primary means) is in and of itself insufficient. Rather, "[T]he existence of a viable but unexamined alternative renders an environmental impact statement inadequate." *Resources Ltd. v. Robertson*, 35 F.3d 1300, 1307 (9th Cir. 1993). Additionally, "even the existence of supportive studies and memoranda contained in the administrative record but not incorporated in the EIS cannot 'bring into compliance with NEPA an EIS that by itself is inadequate.'" *Grazing Fields Farm v. Goldschmidt*, 626 F.2d 1068, 1072 (1st Cir. 1980). The transportation refers to overweight trucks of approximately 36,000 kg or greater. However, there is no mention of oversize which is very different in the transportation sector. In fact, oversize vehicles will also require additional

and specific permits but more importantly, will have restrictions as to when they are permitted to travel. Oversize vehicles are only permitted on specific routes and specific times, during daylight hours. Hypothetically, this will create considerable downtime and require staging areas which may or may not be in Clark County. The draft EIS does not make this clear. The potential for additional radioactive exposure, security risks, and other socio-economic impacts are not evaluated.

DOE has presented its preference, the Mina Corridor, which is now an impossibility. Upon the Walker River Palute Tribal Council's withdrawal of support, DOE changed its preferred alternative to the Caliente Corridor, and rather than present or identify another realistic and reasonable alternative, DOE substituted the non-existent alternative Mina Corridor into the category of non-preferred alternative. Such practice is unacceptable in accordance with governing precedent. "As one aspect of evaluating a proposed course of action under NEPA, [DOE] has a duty to study all alternatives that appear reasonable and appropriate for study . . . as well as significant alternatives suggested by other agencies or the public during the comment period." *City of Carmel-By-The-Sea v. U.S. Dept. of Transp.*, 95 F.3d 892, 903 (9th Cir. 1996)

Additionally, DOE, without adequate discussion of alternative storage canisters, prematurely commits the holding and transportation of the spent fuel to TADs. Yet, at no point does DOE adequately evaluate the impacts of the TADs in regard to weight during transport or storage/transfer costs at reactor sites. Furthermore, risk as it relates to human error is nearly wholly ignored as it pertains to overweight truck transport through populated areas, including Clark County.

Mitigation

The CEQ defines mitigation as "a specific activity or specification that would soften environmental impacts to some degree and that can be implemented enforced and its effectiveness evaluated." Overview of the NEPA Process, CEQ P. 34 [emphasis added]. The DSEIS must discuss the "means to mitigate adverse environmental impacts." 40 C.F.R. 1502.1(6)(h). Intended mitigation is presented in the EIS's without sufficient detail as to the mitigation's actual goals or methods.

Clark County and its populace were not adequately considered in the Draft Rail EIS. For example, fire prevention or risk models remain absent from the Draft Rail EIS discussion. Broad references to personnel and mild discussion of seasonal fire trends take place with no substantive analysis of probability or risk as it pertains to Clark County or Las Vegas. Yet, broad sweeping vague phrases such as "best management practices" are used throughout both documents. Little explanation is provided as to where such practices will be aimed or what methodologies such practices will entail.

Similarly, the cultural impacts of the rail construction are vaguely recognized, as is the vast objection by relevant Native American tribes. For example, the Draft Rail EIS indicates that the construction and installation could have a "moderate impact on some of the historic areas..." Draft Rail EIS, P. S-60-61. DOE indicates that "extensive effort . . . would undertake to avoid or mitigate impacts to cultural resources. . ." *Id.* The means, methods or resources to devote towards mitigation are not *specifically* discussed. Rather, DOE provides that "best management practices" will be employed to achieve a mitigated end. Finally, Native American opposition is dismissed as a holistic concern that is unavoidable. DOE must go "beyond mere assertions and indicate its basis for them." *Dubois v. US Dept. of Agriculture*, 102 F.3d. 1273 (1st Cir. 1998)

Cumulative Impacts

The Draft Rail EIS falls significantly short in assessing cumulative impacts that are likely to result along the Callente rail alignment, given that much of the alignment runs along the northern and western borders of the Nevada Test and Training Range (Draft Rail EIS 5.2.2.6).

Cumulative impacts are not adequately assessed related to the combined impact from rail construction and future actions at the Nevada Test and Training Range (5.2.2.6). In addition, the Draft Rail EIS contends that there will be only limited environmental conflicts between future energy and mineral developments with the construction and operation of the Callente rail line with no supporting documentation (5.2.2.2.3). These shortcomings need to be fully addressed

Incomplete and Inadequately Supported Analysis

A list of sections found to contain inadequate analysis related to Occupational and Public Health and Safety (Draft Rail EIS 4.2.10) and the Surface Water Impact Assessment Methodology (Draft Rail EIS 4.3.5.1) include:

- a) Transportation Impact Assessment Methodology (Draft Rail EIS 4.2.10.1),*
- b) Surface Water Resources Impact Assessment Methodology (Draft Rail EIS 4.3.5.1)*
- c) Potential Impacts associated with Proposed Action (Draft Rail EIS 4.2.10.2),*
- d) Impacts associated with Shared-Use option (Draft Rail EIS 4.2.10.3),*

Safety and Security Issues

Transportation Impact Assessment Methodology (4.2.10.1.3)

The evaluation of probable frequency of accidents during transportation of hazardous materials along rail line and station yards is based upon statistical data of small size rail vehicles. However, these statistics are not reflective of accident probability for the large size casks that are proposed for this project, thus putting in question the validity of the risk assessment and requiring a different safety evaluation methodology. There are places in the rail SEIS where risk is not fully addressed; rather, by claiming similarity to other analyses, DOE has copied those results into the new sections. It would have been more convincing, if the copying had been replaced by a careful description of similarities and possible differences and uncertainties.

Only one sabotage scenario has been considered. This is not consistent with current approaches to physical protection and sabotage/terrorism analyses. For example, the DOE's own methodology for physical protection of Gen-IV nuclear energy systems asks analysts to consider a wide range of threats and strategies and develop thorough description of attack scenarios and release pathways. The DOE's "representative scenario" employs an aircraft penetrating the roof of the building. There is no way to be sure that this is in any way a bounding analysis. For example, other modes of attack using weapons in the receiving areas might be of interest. We agree with the authors of the National Research Council's review of the transportation problem, when they said "Malevolent acts against spent fuel and high-level waste shipments are a major technical and societal concern.. [and that]...an independent examination of the security of spent fuel and high-level waste transportation be carried out prior to the commencement of fuel and high-level waste transportation..."

Information released by the RAND Center for Terrorism Risk Management Policy in 2007 should be considered when assessing risks related to terrorism or sabotage. The RAND report was commissioned by the U.S. Department of Homeland Security to explore how risk analysis tools might be useful. The Probabilistic Terrorism Model discussed in the report analysis provides relevant findings for not only Clark County, but for other jurisdictions across the country. The report states, in part:

"Terrorism risk is highly concentrated, with eight cities carrying 95% of the total risk: New York, Chicago, Washington DC, San Francisco, Los Angeles, Boston, Houston, and Philadelphia (p. 18). Though Las Vegas is estimated to have the ninth highest overall attack likelihood, Las Vegas' position is lower (18th) in terms of estimated fatality risk shares. This is because risk estimates reflect both likelihood and consequence, and therefore account for the density and amount of surrounding population and property value - factors for which Las Vegas is exceeded by larger, higher density urban areas." (p. 18). This ranking disparity is directly reflective of the fact that RMS model only considers employees of a hotel/casino in the fatality estimates, and does not include the guests and visitors, under-representing the population density of the tourist corridor."

The RAND report classifies Las Vegas as a "Tier 3" target using its model, placing it among the top 10 cities in the country likely to be attacked. The report states, "Las Vegas stands out in having a high proportion of high-likelihood targets compared to the nation as a whole." The RAND report well describes and validates the high ranking for risk of terrorist attack, and acknowledges that both risk and population density are underestimated given the unique nature of Las Vegas, especially with its recognized "iconic value" as a terrorist target, the SDEIS falls short in capturing this potential impact. The report also highlights the importance of the high property values on the Las Vegas Strip, which increases both risks and consequences. The RAND report findings should be incorporated into the final EIS documents.

Preclosure Monitoring

The Repository DSEIS proposes that the preclosure analytical period for monitoring be reduced to 50 years from the 300 years originally proposed in the FEIS (Table 2-1, pg. 2-12 and pg. 2-17). Clark County believes that such a significant change from the FEIS to the DSEIS in the proposed preclosure monitoring period should be clearly explained and justified.

As noted in the review of the DSEIS above, the primary problems identified in the occupational and public health and safety sections of the Draft Rail Alignment EIS documents have to do with inadequate documentation, inconsistencies in the documentation, inadequate consideration of uncertainties, inadequate justification of assumptions, and claims of future actions that have not yet been accomplished. The identified errors do not enhance confidence in the analysis or the technical review of the calculations, especially since they occurred in some of the few demonstration calculations presented in the reports.

Surface Water Resources Impact Assessment Methodology (4.3.5.1)

The Draft Rail Alignment EIS lists potential impacts that would be checked during construction by following "*applicable laws...and implementing best management practices*" (italics added)(Draft Rail EIS 4.3.5.1, pg 4-484). However, it does not evaluate the impact caused by natural flooding that has significantly impacted rail lines within Nevada in the past. Locations with high potential for flooding which would impact the rail line do not appear to have been adequately mapped. Mitigation plans and emergency response preparedness plans are also lacking.

Potential Impacts associated with Proposed Action (4.2.10.2.2.2)

Significant concern exists over rail operation through Clark County. The existing UPRR main rail line that traverses Clark County already operates at maximum capacity. (Clark County Commodity Flow Study 2007) There does not appear to have been adequate analysis of existing rail capacity in Clark County in the Draft Rail EIS, nor does there appear to have been an analysis of the current condition of the rail line. This rail line is heavily used, has been in place for over a century, and is located in close proximity to homes, businesses, public facilities, and environmentally sensitive areas, including tribal lands. There is no evidence that DOE coordinated with the UPRR in the development of the Draft Rail EIS.

Section 4.2.10.2.2.2, mentions the guidelines that would be employed as preventative measures against terrorist attack (such as *"use of armed escorts to accompany all shipments, safeguarding of the detailed shipping schedule information, monitoring of shipments through satellite tracking and a communication center with 24-hour staffing, and coordination of logistics with state and local law enforcement agencies"* (pg 4-313). [emphasis and italics added] However, no analysis is offered regarding response time and preparedness of emergency management agencies in case of a catastrophe. The issue of emergency response management is of critical importance considering the harsh terrain and rural nature of the region that does not guarantee immediate availability of resources and their timely dispatch. Further, there is no analysis to show the number and location of the emergency response facilities around the proposed rail line, or their financial commitments over the next 50 years of operations.

The Draft Rail EIS also fails to address potential impacts of military training accidents to rail operations and the repository site.

The Draft Rail EIS briefly touches upon the subject of providing rigorous training to employees in order to prepare them for unforeseen incidents such as the 2007 rail tank incident in the Las Vegas Valley in August 2007 where a rail tank car ran loose for 22 miles from a rail yard in southern Clark County through downtown Las Vegas and into North Las Vegas. In dealing with radioactive waste, it must be ensured that probability and risk of such incidents is minimized through clearly outlined policies, and by pinpointing precise operational procedures such as a no switch policy for rail lines on the line segment as well as within the yard.

Impacts associated with Shared-Use option (Draft Rail EIS 4.2.10.3)

The Draft Rail EIS repeatedly lists the impact for Shared-Use option for all criteria to be *"approximately the same...as for the Proposed Action"* (4.3.12.4, pg 4-715, 4.3.13.3, pg 4-727, 4.2.10.3.1.1, 4.2.10.3.1.2, pg 4-321). The shared use of the rail facilities should be addressed with a new operational procedure for sharing the lines and yards. Diagrams showing the operational connection and physical movements on lines in the yards for the trains and cars carrying the radioactive and other materials should be developed and included in the reports. Conflicts of paths of the rail vehicles on rail lines in the yards should be analyzed through graphical simulations, and explanations should be provided on how these conflicts are eliminated with the indication of possibility of crashes. While illustrative sketches like Figure 2-43 (pg 2-92) offer a preliminary visualization of the complexities involved with the Shared-Use option, these need to be refined showing critical area analysis and addressing overlapping zones with detail. Further, a description of the system-wide policies and procedures for dealing with delayed or disabled trains should be provided.

Environmental Impacts

The DEIS consistently speaks of impacts and potential impacts occurring as a result of construction activity, and thus describes safety measures that would be taken to minimize the risk of an accident during or from construction. However, it offers little to no evaluation about crisis management during post-accident situations that may occur from natural hazards or human error (e.g., Faulting and Seismic Activity is assessed under Section 4.2.1.2.1.2).

"Construction activities would not induce earthquakes or reactivate any faults.. At a minimum, DOE would design and operate the proposed railroad to be consistent with American Railway Engineering and Maintenance-of-Way Association seismic guidelines...and could decide to implement additional, more stringent standards." (Draft Rail EIS pg 4-8). [italics and emphasis added] It should be noted here that no assessment has been made regarding precise action that would be needed in case a natural disaster like an earthquake should occur outside of the forces related to construction alone.

The primary problems identified in the occupational and public health and safety sections of the Draft Rail Alignment EIS documents are inadequate documentation, inconsistencies in the documentation, inadequate consideration of uncertainties, inadequate justification of assumptions, and claims of future actions that have not yet been accomplished. The identified errors do not enhance confidence in the analysis or the technical review of the calculations.

Further, the following specific questions and gaps in environmental considerations should be addressed:

8.4.1.6 Groundwater Resources. 150 to 176 new wells need to be drilled to meet demands of 8100 acre feet of water (7.5 billion cubic meters) required for the rail line. It is not clear where these wells will be located or how they might impact Clark County.

The following statement requires clarification: "DOE does not anticipate that proposed groundwater withdrawals would conflict with known regional or local aquifer management plans or the goals of governmental water authorities, and impacts from groundwater withdrawals on downgradient groundwater basins (or hydrographic areas) would be small." (6-33). How has DOE analyzed this issue to ensure that no conflict will present itself with governmental water authorities? Presently, the DOE is in litigation with the State of Nevada regarding the use and quantity of water for the Yucca Mountain project. It is not clear what measures the DOE taken to resolve this issue, and how an adverse court ruling will impact the EIS.

"DOE determined that impacts to ground subsidence or groundwater quality that could result from railroad construction and operations along either rail alignment would be small." (6-34). It is not clear how DOE has quantified this, or what DOE's definition of "small" is

8.4.2.6, Groundwater Resources. "Based on the proposed locations of new wells in specific hydrographic areas along the Caliente Rail Alignment, additional groundwater appropriations would be needed in 19 hydrographic areas." (8-40). The DOE states that overall the needs for the railroad represent a small portion of the cumulative water usage in the region of influence. How is this quantified?

8.4.2.4 Air Quality and Climate "Potential cumulative impacts to Air Quality and climate and construction and operation of the proposed railroad along the Caliente or Mina Rail alignment would be small, but could approach moderate if the potential exceedence of the National Ambient Air Quality Standards note above occurred." (8-39) Does the DOE mean "moderate" as designated by the Environmental Protection Agency? Clark County is designated non-

attainment for certain criteria pollutants, but DOE does not appear to have evaluated how the proposed repository and rail line will impact Clark County's air quality attainment status.

2.1.2.2 Subsurface Facilities and Operations including Ventilation "The emplacement ventilation system would be an exhaust system with the primary purpose of attaining thermal goals in the repository." (2-25) Where will the air from this system exhaust? What will be the pollutants in the exhaust stream? Does the DOE plan to implement a control device on the exhaust system to mitigate any resulting air emissions? Is the DOE confident that the three intake shafts and six exhaust shafts will be enough to support ventilation within the repository?

4.1.14.5.1 Air Quality. According to Table 4-33, the 10 year manufacturing period is for drip shields only. It is not clear whether all components of this process have been identified. It is also unclear whether the DOE has quantified emissions associated with the diesel generator facility, diesel fuel oil storage, and fueling station. A further question is whether this facility will emit more than 10 tons per year of a Hazardous Air Pollutant. DOE should also indicate whether the construction of this facility and the subsequent manufacturing of the drip shields will be subject to a Maximum Achievable Control Technology requirement.

Maintaining a satisfactory attainment status for air quality is critical for Clark County. Potentially, air quality problems during the rail construction phase could impact Clark County's ability to maintain its favorable status. It is important for Clark County to know whether the DOE has quantified, process by process, the total potential to emit for the repository including railroad construction, what emission units have been identified for the construction of the repository and the railroad and operation of the repository, and what emission factors will be used to quantify potential to emit for the repository including railroad construction. The DSEIS only evaluates $PM_{2.5}$ emissions. This project could be a major source of PM_{10} . It is unclear whether DOE has adequately evaluated PM_{10} emissions, particularly whether fugitive emissions have been evaluated and quantified. DOE should describe what kind of controls will be implemented to control PM_{10} emissions from mining, construction, road travel, stockpiling of material and disturbing vacant land

According to Table 2-3, Potential Impacts from National and Nevada Transportation, under the Caliente Implementing Alternative, "Noise from construction activities would exceed Federal Transit Administration guidelines in two locations." The EIS should indicate specific locations and the expected maximum noise level.

Finally, Clark County holds an Endangered Species (Section 7) permit for the desert tortoise. This range-wide permit could be at risk should transportation construction, staging, or operations impact the scope of the permit. Mitigation measures for protecting endangered species are not described in the existing documents.

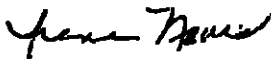
General Conclusions

Clark County finds all three of these NEPA documents have serious legal deficiencies and incomplete and inconsistent scientific analysis of such a magnitude that they should be withdrawn. Risk assessment and identification of impacts are lacking in data. The DOE does not adequately acknowledge current and future conditions. Many of DOE's assumptions are without merit. In addition to the numerous deficiencies as outlined above, it must be pointed out that much of what the DOE relies on for public health and safety and environmental protection is predicated on adequate funding. Whether the subject is drip shields or a rail spur, no number of

plans, assertions, or assurances can guarantee the level of sustained funding required for DOE to implement these elements. The EIS documents do not account for this great uncertainty, and therefore cannot be relied upon to support the DOE's license application and repository plans.

In addition to these formal comments, attached are written comments Clark County received from the public expressing various views about the Yucca Mountain project. It is our intent that these comments be included as part of the formal record. Thank you for taking our comments into consideration. We look forward to seeing our concerns adequately addressed in the final EIS documents.

Sincerely,

A handwritten signature in cursive script, appearing to read "Irene Navis".

Irene Navis, AICP

Planning Manager

SPEAK UP ON YUCCA MOUNTAIN

**The attached comments were received from the public at
Yuccaopinions@aol.com.**

Clark County established this e-mail account to gather public input during the comment period for inclusion as part of the formal record. These comments are provided in their original, unedited content. Of the 82 E-mails received the majority express opposition to the repository and transportation to it. In addition many substantive comments provided and evaluation of the NEPA documents.

January 10, 2008

**Clark County Comments
Attachment A**

*** To Whom It may Concern:**

I am a 40 year Nevada Resident, and I do not oppose Nuclear materials being stored in Yucca Mountain. I do however, oppose the mode of transportation. The infrastructure for truck transportation is already there, why go through the tremendous expense of building a new railroad. All they have to do is upgrade existing roads. The reason I do not oppose the waste in Yucca mountain is because I believe that one location is easier to protect than having several locations throught the country. Right now if there was some type of organized terroristic act, they could target all sites that contain Nuclear Waste, and it would be much harder to protect and deal with if those storages were compromised.

thank you for the opportunity
Bernie Romero
Ely, Nevada

*** I hear the worries of the Nevada public and the rhetoric of the up-for-election Nevada politicians. What I don't hear is reason or any facts.**

*** Flawed Science! But what science are you talking about? 20 years + of geologic studies done on Yucca mountain and no-one can tell me specifically what significant flaw exists in these studies. We can't seem to even get the distance to the place right. Those for it say 100 miles from Las Vegas, those against say 90 miles and shrinking!**

Governor Richardson says he has concerns over water saturation. This in one of the nations most desolate and dry spots. We are talking desert here, not some lush Garden of Eden ripe for spoilage by our nasty DOE. We are right next to Death Valley. Do the politicians spout what ever comes into their heads, no matter how ridiculous? What water? What saturation?

1000 feet below the surface in solid rock and 1000 feet of rock above a water table that drains into Death Valley. Do you think there is a better situation on this planet for storage? But earthquakes exist there! There is no spot on this planet where earthquakes don't exist. Is it better to store in open terrorist accessible pools on the surface next to 161 million US citizens in our cities or in closed tunnels underground where we risk the lives of a few jackrabbits and hauling a stored cask out into the open would result in fried terrorist after moving it 3 feet? If a tunnel collapses, we close the door and forget about it.

But it's under a dormant volcano! This is total chicken little baloney! Yucca Mountain is in an ancient volcanic flow. This is not Mt. Vesuvius, Mt. St. Helens nor the Hawaiian Islands. Ask how long it has been since any volcano within 100 miles has been active. Are you worried about Mt. Charleston beginning to spout and rain ruin over the strip? If you are, then perhaps you should really consider moving!

But, you ask, what about the transportation risks? If one looks, you find out that the transportation of radioactive and other chemical materials far more dangerous than nuclear waste has been going on up and down I-15 in trucks for years and years and nobody lets out a peep. They have run a test locomotive into a nuclear shipping cask at 80 miles per with no leaks, and you are worried about what? So they (The DOE) design a railroad to hell and gone around the long way, away from Las Vegas. You kind folks pester them to provide you a common carrier ability on the same tracks then sue them for doing so. That's fair, isn't it? If the DOE reneged on their promise, I couldn't blame them. That is fair, isn't it?

Wake up Nevada! There are 49 other states out there in the rest of the nation. We have blasted the land north of Las Vegas with nuclear explosions, with no hue and cry from you. Don't let the politicians lead you by the nose to the detriment of the rest of the other United States. Even the Nevada Jackrabbits will not be harmed. Put down your pitchforks, put out your torches and ask yourselves if Yucca Mountain will really affect your life?

***Dear Sir,**

You need to get real on saying Yucca Mountain is safe. Neptunium-237 takes 2.2 million years to become inert. Plutonium-242 takes 376,000 years to become inert. Technetium-99 takes 212,000 years to become inert. Thorium-230 takes 80,000 years to become inert. Plutonium-239 takes 24,000 years to become inert. And Radium-226 takes 1,600 years to become inert. How about finding a way to ship the nuclear waste to the BACK SIDE OF THE MOON which never ever faces the earth and think about Human health and safety for a change. THINK you morans!

**P.J.
Las Vegas, Nevada**

*** Address to Department of Energy
reference supplemental DEIS regarding Yucca Mountain Project
DOE/EIS-0250F-S1D
DOE/EIS-0250F-S2D**

Gentlemen, I have had the opportunity to review the two supplemental DEIS regarding Yucca Mountain and I want to submit the following comments. In regards to these two EIS's, I feel that because it has been determined that Yucca Mtn repository site is located on a major earthquake fault, the most serious impact of having the repository there is in the handling of the casks or TAD's (transport, aging, and disposal casks) at the surface facilities, which could be impacted most in the event of an earthquake. The robotic manipulators handling the process of changing the shipping casks to the storage casks might be compromised in the event of a quake and there might be a serious loss of containment resulting in radioactive waste leakage. First off, from my research I have learned that the TAD'S don't even exist yet and have yet to be developed and tested properly to determine the absolute safety of them for their transportation of the nuclear waste. They are merely in the theory stage at this time. There are no engineering or prototype results to substantiate them. They may not even have the engineering plans before the June '09 application date. It sounds to me as if the DOE is trying to shortchange the process by doing these impact statements in advance of the information needed about the TAD's. It really should be after they are developed and tested that a DEI should be assembled. With current information, there is enough radiation coming through the walls of the casks, to give a whole body dose of an XRay every hour. They have no radiation shielding and would need overpack to further protect the contents. Even a small break in the welded bolted seals could result in gas leakage of the fission products. It is suggested that the waste materials should be cooled for at least 50 years before even thinking of transport, and to my understanding, it is the desire of the DOE to transport these wastes that have only cooled for 5-10 years. It has yet to be determined how the casks might be effected if the earth shifts from a quake which might destroy the casks, breaking the welded seals or even completely. This leads me to believe that the waste within might seep into our ground water supplies, eventually making it's way to human habitation and consumption resulting in human health risks and billions of dollars in damage. Not a good idea at all. Regarding the transportation of the waste materials by truck and rail, again the TAD's have yet to be developed and tested properly so we do not know the overall safety of them in the event of accidents. The railway routes suggested are either thru the Mina corridor or the Caliente corridor. The Mina corridor, may not even be an option because the corridor goes through a portion of the Paiute Indian lands and to date, the Indians changed their minds about the route and have withdrawn their support entirely from this project which means this route probably should be abandoned entirely. The proposed railway lines through both routes would impact ranchlands, mining lands, private property, and recreational lands. The DOE suggests that ranchers grazing allotments and production levels might be affected by only 10% reductions but the ranchers themselves feel in reality the impact might be as much as 50%. Because of this, there is the possibility of driving many of the ranchers out of business because they are not operating from large profit margins to begin with. The Caliente proposed railway route would be the largest new railway project in over 80 years. It would be over rough terrain including mountain ranges which could present even more opportunity for accidental leakage of the nuclear wastes in the result in runaway train accidents. Because the route passes through private property, ranchlands, mining lands, and recreational lands there would be a terrible effect on human habitation and our wildlife ecosystems. The impacts of a proposed railway route from Caliente or Mina are really much larger than

the DOE suggests and it is my opinion that we look for other alternatives than Yucca Mtn entirely.

Sincerely,
Suzanne McGoldrick
4047 Pennsburg Ct.
Las Vegas, NV 89122
(702) 987-5244

***Independent Public Comments and Recommendations to the Draft DOE/EIS-0250F-S1D (SEIS) for the Yucca Mountain Repository; October 2007**

**Draft Supplemental Environmental Impact Statement (SEIS);
Comments/Recommendations**

Major Issues:

1) No mention of a Quality Assurance Program –

2) No mention of Design Basis Allowing for Retrievability of Waste -

**Draft Supplemental Environmental Impact Statement (SEIS);
Comments/Recommendations**

- **Major Issues**

3) Global Nuclear Energy Partnership discussed in section S.5 of this SEIS -

**Draft Supplemental Environmental Impact Statement (SEIS);
Comments/Recommendations**

4) Based on Experience with Project Budget Over-Runs, Extending Schedules, and the lack of lessons learned published; the DOE Environmental Management System should manage the revision or issue new DOE Orders, specifications, or regulations for the specified activities -

Richard DeKlever
255-0026

* There are too many casualties. Why Nevada? Why not Texas or California?

Name: Zwe P Win
ENV101 M-W

* would like to express my opinion on Yucca Mountain. We Nevadans do not want this POISONOUS GARBAGE coming to our state. Keep this poison in your own states. This is an outrage. Do you think Nevada is just a desert? NO there are human beings living here and we do not want to have cancer from your poison. We love our desert. DO NOT SHIP THIS TO OUR STATE.

Lori Cooper-Vasquez

* To Whom It May Concern:

This email is in response to the public meeting held here in Las Vegas, NV on December 3, 2007.

I DO NOT support the nuclear waste depository project in Nevada. I disagree with the U.S. Nuclear Energy's research about Yucca Mountain being a safe place to store nuclear waste 80 miles from Las Vegas, Nevada where 2 million people live; transporting nuclear waste via train or truck shipments through Las Vegas; and/or claims that nuclear waste storage containers are virtually indestructible.

The U.S. Nuclear Energy Department has failed to submit it's document collection for its Yucca license application that follows years of political, environmental and health debates over the plan to dispose of the country's nuclear waste in our back yard. Each State should manage its own nuclear waste to be disposed within each State's back yard.

THE U.S. NUCLEAR ENERGY DEPARTMENT SHOULD NOT BE ISSUED A YUCCA LICENSE APPLICATION TO DUMP WASTE IN NEVADA.

Sincerely,

Janie Silvaggio

* The DOE has shown that the spent nuclear fuel rods can be safely shipped to Yucca Mtn and stored there. Lets complete this project, spend more funds to develop a cleaner safer way to process out the re-useable fuel. How many safe shipments of Nuclear fuel rods and Nuclear weapons have been shipped across the USA in the last 60 years? A lot I assume.....
Thanks D.W. Farm, Las Vegas Nv...

*** No to nuclear waste. That's a big no.**

*** I am a Las Vegan, a long, long time Las Vegan and I AM NOT against the development of Yucca Mountain for nuclear waste storage. I am nervous about having hundreds of small, and some not-so-small, questionably sheltered piles of nuclear waste all over the country. It's time, with our vast sources of isolated land, to offer the country something besides sin.**

Lonsumpun

*** Dear Sirs:**

I must preface my remarks by informing you that

- 1. I have been a resident of Clark County, Nevada for over 22 years, where my wife and I have raised our three children, each native Nevadans**
- 2. I love our vast desert landscape where I camp, hike, tour, explore, find refuge and consider it anything but a wasteland**
- 3. I am not a particular fan of having the nation's nuclear waste transported from 39 other states to my and my family and friends home**
- 4. I have had an almost 30-year career as an environmental scientist**

As an environmental scientist, I also am keenly aware that there are frequently trade-offs and compromises when it comes to best practices and approaches to solving environmental problems, as well as unintended consequences of implementing one policy for another.

With that, I propose to you and the residents of the Las Vegas Valley, Clark County, and the State of Nevada that, instead of our opposing out of hand the transport to and storage of our nation's nuclear waste in Yucca Mountain, that we change our strategy and instead we negotiate with those water-rich states who expect to send us their waste to in turn have them ensure that southern Nevada has a guaranteed and sustainable supply of water. Not too much of it, just enough water to ensure we do not run short. Also, as an environment scientist, I fully recognize the devil is in the details—the costs and energy involved in piping and pumping the water, the possible introduction and ecological consequence of invasive species on our ecosystems—more of which I have not thought of or are beyond my experience to consider.

I have not come to this idea in a vacuum. Firstly, I recently heard Governor Bill Richardson, presidential candidate and former Secretary of the Department of Energy in the Clinton administration, propose a National Water Policy, along the lines of the much debated and elusive National Energy Policy. This, coupled with the fact that I travel over

Hoover Dam on occasion, and have watched our valley's water reserve dwindle at a much publicized and alarming rate since 1999.

It has long been known to Nevadans that, going back to when Chic Hecht magnificently categorized the YMP as the "nuclear suppository," it would be political suicide for any member of our Nevada congressional delegation to be anything but adamantly opposed to the project—whether they truly are or are not. This "water for waste" approach could be a win-win situation and a solution to this now generation-long stalemate between Nevada and the rest of the country for what many have already deemed a foregone conclusion. Their water could and should be our price of admission for their waste

I am also proposing here the following slogans or bumper stickers:

Water-4-Waste

H2O ↔ TRUs

Again, I prefer that nuclear waste not come to Nevada, and that we have a complete and functional energy policy with a complete portfolio of options. But south Nevada needs water. Without it here in the Mojave Desert—to paraphrase the old Lung Association's ad campaign about breathing--nothing else matters!

Thank you for your consideration on this matter,

Mark E. Silverstein
8180 Sandy Creek Dr
Las Vegas, NV 89123
702-896-7050
hicosilver@cox.net

* Please,

No dumping of waste at Yucca Mountain.

I feel so strongly about this issue that I will work for the rest of my life to keep this from happening, and to hold responsible parties accountable, should it happen over our strenuous objections.

Howard Shock
920 Bonita Avenue
Las Vegas, NV 89104

* Dear Congress. Coming from the East Coast to Live in Nevada, I can see so many more alternative sources for power. I still remember my High School Physics lessons on thermal, wind and water energy. I don't want to be polluted with spent atomic fuel in my beautiful Las Vegas setting. We have not exhausted our energy options yet. I am also

against ruining the prestene perma-frost of Alaska with oil wells.
Barbara Chozahinoff, 89145 Las Vegas, NV.

No to Yucca Mountain. Barbara Chozahinoff, 9605 Camden Hills Ave. Las Vegas, NV
89145

* Please do not let the Yucca Mountain project continue. Now that there are approximately 2 million people living only 90 miles south of the site (and that number is growing every month) it does NOT make sense to have such a project. Nobody knows what can happen when there is that much spent nuclear fuel near them. We will only know years down the road the detrimental effects it could have on our children. In addition to the storage site, the transportation to get the spent nuclear fuel to the site is very dangerous. We have not yet eliminated train wrecks in this country nor have we eliminated terrorist attacks. Putting such a project near so many people is irresponsible; the scientists may think it is safe but they do not know for sure. Why take such a big risk? It is not fair to the people of Nevada and the routes the transportation takes will put other states at risk as well. For the future of our children, please do not let the project continue. Thank you.

Mitchell Broth

* Will this produce new jobs for Betchel?

Shiela Brown

* If everything is okay engineering wise and ground water will not seep into the storage shelter or be contaminated by this type of storage and if the earthquake fault lines are not going to bother it then I say let's do it. Get it done and be over with it. It has to go someplace and we already don't utilize the Atomic Testing Range area adjacent to it, so let us be done with this hassling and accomplish something. Where ever all this radioactive waste is right now, it is probably in a less safe place than it will be in the Yucca Mountain repository. In a million years from now it will be a lot less dangerous after its half life dwindles away. Maybe we will even find a use for it before that time. Sincerely,

Richard Williams

cplrich@cox.net

*** My dear fellow energy minded earthlings,**

We need to store this waste somewhere and just like the gold mine tailings are valuable now to "re-mine", we Americans will come up with a use for the spent fuel. Nevada should have ALL the future rights and profits to it as well. We used to blow up nukes in the desert and watch them for fun.... what is more efficient than a nuclear power source? Let our fellow Americans store the waste here and charge them up the kazoo!

**W.R. Bill Bailey
5620 Ocean Pines Cr.
Las Vegas, NV. 89130
702.444.6355
bailey@wrbailey.com**

*** NO YUCCA MOUNTAIN!! I don't want nuclear waste transported through our beautiful city. it is a concern for the reason that las vegas is a growing city. Nuclear waste does not need to be transported through our freeways that have thousands of accidents each year. what is going to happen if a vehicle transporting nuclear waste gets into a severe accident? how will the scene get cleaned up? how will nuclear waste effect our environment, air, children and families? There are many concerns especially for those who have grew up here in Nevada and want to raise their family in Nevada. PLEASE LET THIS BE HEARD**

Monica Burkland

***I am not a scientist nor do I play one on television but it doesn't take a scientist to know that you don't put that much nuclear waste over a earthquake fault and ground water for millions of people. The states that wanted nuclear powered stations should be the ones that bear the burden of storage. Not only that but transporting that much over the nations highways and railroads endangers even more people in this age of terrorism. There is at the least one train accident a day in this country. I don't have the statistics but I am confident that there are more than one accident a day on the nation's highways involving tractor trailers. This was a bad idea from day one and it is still a bad idea today. We do not want "garbage" from other states here. We have done more than our fair share as it is with regard to the test site and area 51 both of which are contaminated sites. I think the government runs on what I call the "run for your life theory". When there was a leak at the test site we were always told that it was not something we should worry about when in truth it definitely should have been run for your life! Personally, I think that the DOE is doing no more than collecting all our thoughts so that they know how to present the Yucca Mountain package to us in the future. Well, I intend to run for my life! In case this government hasn't noticed, we have people homeless and starving. The educational**

system is a shambles and the infrastructure is crumbling. Surely the government can find more to do than pour billions into a hole in a mountain and then say it is good science. If other countries have learned to use this spent waste, why can't we?????

Penelope P Yazzie
Las Vegas, NV

* Since Yucca Mountain sits at or on the confluence of up to eight geographical/earth quake faults, doesn't it occur to anyone that the odds of contamination of the area are quite high? Or is it that everyone is so afraid of this in their own states, they don't care what happens to the citizens of Nevada? Haven't the citizens of Nevada suffered enough from testing that went on at least fifty years ago, especially those in the Fallon area?

To store nuclear waste in Yucca Mountain is sheer folly at the least and sheer suicide in the making. Is that what we want for posterity? I think not ... or at least I do not want it.

Let common sense prevail ... or is that a lost art as well?

*** PLEASE ... DO NOT STORE NUCLEAR WASTE IN YUCCA**

* Strongly Disagree With Transporting Waste Though the Las Vegas City Freeways. With all the accident we have, it will be a Killing Field. See this news:

Calif. declares emergency over Bay Area oil spill
Dozens of birds killed or hurt; herring, salmon, smelt also

Bill Henning
Sales Tech Support Manager
2460 Paseo Verde Pkwy Suite 135
Henderson, NV 89074 Cell-BB: (702) 420-0278 Office: (702) 946-1168 WHenning@yellowpa.com

* Yucca Mountain is the perfect place to store our nations nuclear waste. It must be secured in one location so we can protect it. I have toured Yucca Mountain and I believe, from what I have seen, it is the perfect place to store the nations nuclear waste. What makes me really upset is the stupidity of Harry Reid. If he had any sense at all, he would have made a deal with the Federal Government. Harry Reid should have told the feds that Nevada would be the caretaker in exchange for something. The perfect something would have been nuclear power. For example, Nevada takes all the nuclear waste produced in these United States and the Federal Government builds a nuclear power plant at the Test Site. Nevada would have received FREE

electricity for every resident and greatly reduced rates for Nevada businesses. It would have been a win-win situation for everybody involved.

The worst possible scenario is the continued storage at un-secure locations spread out all over the country. Harry Reid missed a golden opportunity by being ignorant to the facts.

Gerald E Andrews 6553 Gatehouse Ln Las Vegas, NV

***To Whom it may concern**

We wish to voice our opinion as to the use of Yucca Mountain to store Nuclear Waste. Be advised that we are. Totally against this project. Let the places that have this waste store it there and not in our back yard. To transport this material overstates by rail or any other mean of transportation is to dangerous. Ms Rosemary Piszczek and Mr Hugh Corcoran

*** To the DOE:**

As residents of Las Vegas my wife and I are strongly opposed to the proposed nuclear waste depository at Yucca Mountain. While we do not believe that the proposed use of the facility is based upon the results of appropriate and meaningful scientific studies, our major concern is the transportation of nuclear waste materials to the Nevada site. We believe that transporting such materials is a disaster- waiting-to-happen. There just cannot be any way the Government can guarantee the safe movement of nuclear waste from its place of origin to Yucca Mountain. Therefore we urge that the site be not given a license to operate

Philip & Stephanie Rogers 8737 Carlitas Joy Court Las Vegas, NV 89117

*** 1. I am in the process of reviewing the Draft SEIS (DOE/EIS-0250F-S1 D) along with the Draft SEIS (Navada Transportation Corridor)(DOE/EIS-0250F-S2D) and the Draft EIS (Rail Alignment)(DOE/EIS-0369D). As my review process is ongoing, I am running into numerous questions pertaining to the overall Yucca Mountain Repository - from the conceptual to the closure of sure.**

2. In order to obtain as much information as I can get in order to fully understand the pros and cons of such Yucca Mountain Repository, I am requesting a hard copy of the following:

Yucca Mountain Rail Impact Evaluation - Churchill County

Fallon Impact Report - Transportation of Spent Nuclear Fuel to the Proposed Repository at yucca Mountain, Nevada Route 50 Corridor through Fallon
Fallon Impact Report - Transportation of Spent Nuclear Fuel by Highway to Yucca

3. The reason for this request for a hard copy of those publications is that currently I do not have a workable printer.

4. The following information is provided: Chuck Alley

IDO 11063 Larkridge Street Santee, CA

chuckalley@yahoo.com

* 5. Thank you in advance for your attention.

* As an almost 44 year resident of Las Vegas, my question is, why not? Why has the public not been informed of how clean nuclear energy is and how much it would save in the way of emissions that everyone seems to be so worried about? France, now there might be construed a dirty word, has, quite successfully, managed to have the vast majority of its' electrical energy needs met by nuclear power. And not a melt down in sight.

I suppose, the biggest question of all might be, why has almost every public official fought this when they knew almost sixty years ago that the Nevada Test Site was building up to being the nuclear repository for the entire country?

Why did they not propose the building of nuclear power plants, creating a far superior roadway system, an extremely better managed educational system and certainly lowering the costs of energy? Rather than allowing this on-going fight, why didn't they cash in for the betterment of the State of Nevada? I have no doubt that every governor, U.S. Representative or Senator has known of what has been going on at the NTS for the past sixty years. So, why did they try and feed the population all of the negative

Damned if I know. If you can answer that question, please let me know.

Respectfully, William R. Cooper And for nuclear power!

* Unless or until the state of Nevada provides a viable alternative solution or location to store nuclear waste I believe your efforts are fruitless! The Federal government has spent billions of dollars on this project and is not going to stop because of growth in Las Vegas or unpopular public opinion.

The only way to stop the Yucca Mountain is to provide better alternative storage solutions/locations, until then your wasting tax payer's dollars in this fight; and even under the remotest possibility that you did stop the project then those billions of dollars of tax payer's money that the Federal Government has spent will have gone to waste.

No matter where they store it the local people (and state) will not want it in their backyard or coming thru their backyard. Obviously somebody (some state) has to make this sacrifice, getting your experts to dispute the science is just like attorneys in court; the defense (Nevada) gets their experts to say their client (Yucca) is "crazy" and the Fed's get their experts to say the defendant is sane. It really accomplishes nothing towards your goal (because rarely does the jury believe the client crazy)!

In my opinion the only hope of stopping Yucca Mountain is to find a much better solution, it has to be a better solution because if it is the same or only a "little" better than Yucca then that is not reason enough for the Federal Government to stop what they've done so far!!!

Rick C. Rhodes

*in/.1.11p OPAJO\.-;;AULSL\ Nu 11,114} IVL. OPINION OR ENDORSED BY EITHER
THE USAF OR GENERAL, DYN.4A/C S!!!*

* had the political hacks employed a sharp pencil, by now some method of levying fees on that deposition or at least transportation of the material, could have been in place. those fees, likely ultimately paid by the various utility generators, could have been enormous. mebbe for starters, the annual state school budget. or, the shortfall in the highway fund account. or, at least some pump up in the education funding. or a couple of new schools. or, a fire station or two. or, a teacher accreditation facility. or, some additional nurse training facility. or, some more metro cops. and if the aforementioned brick and mortar facilities were sited on the brown ground/downtown rail yard property, it'd have been a win-win. that before the 12 stepofficial discards what'sinstead, hapless harry reid et alii have vowed to fritter away any taxprayer money necessary to stall the project. same as those dolts who rear ended we taxprayers with massive costs via those law suits on the us95 widening.

size 2 hats, all.

as a resident well north of "the valley" guess I'd be "affected" before the city residents.

douglas martz

*** I am currently employed by one of the Yucca Mountain repository contractors, and also worked for the Nevada Test Site's prime contractor for many years. I've been a citizen of Nevada for two decades. I'm a mom. I'm very involved in the community and I vote in every election. And here's what I want to say about the repository:**

I know that America needs this repository so that we can move forward with nuclear power as a source of energy that will enable American's to reduce their dependency on the oil controlled by foreign countries.

I know that the repository will be safe. I have worked in the nuclear field for most of my adult life. I know and respect the intelligent and dedicated people who have designed this repository. They are my friends and my fellow Southern Nevadans and I am confident in their abilities to protect their families and mine.

I know that if Yucca Mountain were to cease being an issue that our elected officials could use to distract us, they would be forced to spend time telling us their plans to deal with our economic situation, our education, our traffic, our crime, and all the many truly important issues that face us Nevadans every day.

I know that the state and our communities are missing a huge opportunity to receive millions of dollars from the federal government in exchange for hosting the repository, as my former home state of New Mexico did when it allowed the low-level repository to be built there. This would be money coming in for Nevada to use on vital projects -- in contrast to the millions of dollars that the state and Clark County are spending on lawsuits and anti-nuclear propaganda.

I know that I will look for future leaders who are unafraid to bend under the pressure from current political figures who oppose the repository because they know it will divert attention from the real issues. I will look true leaders who refuse to pander, who refuse to go along with the current party line. Who instead will address the repository rationally and with the benefit of us Nevadans in mind. I will support them and I will encourage others to do so.

I know that Americans and Nevadans are intelligent and will eventually discover the truth for themselves -- that the fear factor and the irrationality and the scare tactics and the demagoguery will wear thin, and people will finally be empowered to make the decision for themselves, based on real facts and information.

And in the meantime, anyone who would like to tour Yucca Mountain and really see what's going on can call to arrange a tour at 821-8687.

Thank you for the opportunity comment,

Colleen

*** Please see my opinion attached.**

**Thank you. Ron Bourgoin
Edgecombe Community College
Rocky Mount, North Carolina, 27801**

Letter: 9/11 should change the way we look at Yucca

Hurray for Harry Reid! The Senate majority leader didn't trust the Bush administration not to fill two of the five positions on the Nuclear Regulatory Commission during the holiday break, so he kept the Senate chamber active. Who can blame him? With the Yucca Mountain repository application's filing right around the corner, and with the administration in favor of a nuclear dump in Nevada, that was an intelligent move to protect Nevada and perhaps the U.S.

In her Nov. 25 story about the Senate pro-forma session, Sun reporter Lisa Mascaro writes that the repository application for a license is to be submitted to the NRC by the Energy Department next year

But it's time, I think, for us as a nation to ask the question: Do we even want to parade fissile materials in front of terrorists, inviting them, in essence, to take them?

The repository concept was developed in 1957, 50 years ago, long before 9/11. Since 9/11, we've found out some people are trying to destroy this civilization. Do we really want to risk helping them do it?

What needs to happen right now, in my opinion, is for Congress to reexamine what we are about to do with the hauling of highly radioactive nuclear waste. The sterling record of the transportation industry in moving nuclear fuel was established over 60 years with shipments to 106 locations in total secrecy.

Shipments to Yucca Mountain, however, will be at the rate of six per day for 20 years to one single location. Terrorists need merely to lie in wait at the Nevada state line. To use the industry's shipment history to justify movement of waste to Yucca Mountain makes no sense. It's like comparing apples and oranges.

We hear about how low the uranium and plutonium content of the waste is. If terrorists get their hands on spent fuel rods, it won't be the amount that bothers us. It'll just be the fact that they were able to do it.

I think America needs to rethink this entire issue.

Ren Bourgoin, Rocky Mount, N.C.

*** What is in place in case a shipment is damaged or if stored that an earthquake causes the containers to open, or leak what would it do to the water or air and how far would that danger extend.**

**Mitch Bigda
2317 Malaga Peak**

*** I do not support the storage of nuclear fuel and high-level radioactive waste at Yucca Mt.. As a concerned citizen, I do not want those hazards near my home. I have spent over 20 years in Las Vegas and intend to spend another 40 years in the area. I do not feel that Yucca Mt. is a safe and secure disposal area.**

Lisa Plaski

*** THE FACT THAT WASHINGTON SHOWS SUCH LITTLE RESPECT TO LAS VEGAS THAT THEY WOULD CONSIDER HAVING NUCLEAR WASTE DRIVEN THROUGH OUR STREETS IS SURE TO BE REMEMBERED ON ELECTION DAYS. IF ANY POLITICIAN FEELS THAT THERE IS ABSOLUTELY NO DANGER IN IT SHOULD, IF PASSED, FEEL FREE TO PROVE THEIR CONVICTION BY COMING ALONG WITH THEIR FAMILIES TO OUR WONDERFUL CITY BY WAY OF THE FIRST THOUSAND TRUCKS HAULING THE STUFF IN! I'M SURE ANY OF THE HOTELS HERE WOULD OFFER AN ALL INCLUSIVE THREE NITE STAY, MEALS, SHOWS AND LUNG EX-RAYS PROVIDED THEY SURVIVE THE TRIP.**

Veronika J. Holmes -Litvak

*** Personally I think it would do major damage to this state which is booming but will come to a fast halt and crumbling of the society here if the Yucca mountain project follows through. Prices of homes will go down, quality of life will be diminished and people would leave to relocate to other states. If that is what the government's goal is they will certainly succeed at it.**

They're not looking out for the people at all but only have their own selfish ulterior motives to gain from. It all comes down to greed and selfishness.

JACQUEY

*** After spending millions of dollars on this project, that is in a wasteland area, why NOT have this site in our State and reap the**

Benefits of storing these items. I came from Niagara Falls and they built one in the center of the City! I knew the Family that owned it, and they made millions. The Revenue could be monumental for the State.

*** As a citizen of Clark County, Nevada, we are opposed to the nuclear waste dump being in our backyard.**

We are concerned about the transport of the material on our highways, the ground water contamination that could happen, and the long term prospects of safety for those who come in generations to come. As with many ecological disasters in the past, the situation could develop into another Chernoble given the right environmental situations; ie earthquakes, leakage etc. Industrial development also will add increasing amounts of nuclear waste that will have to dealt with and where will that all go? Right now we cannot even dispose of Computer relics and the mercury they contain, so where will this all lead us in the future?

Dr George M Stover Jr Dr. Sharon H Stover

8180 W Lone Mountain Road Las Vegas, Nevada 89129 Pastorlv@CFaith.com

*** I'm a 30 year resident of the Las Vegas Valley.**

I have been to Yucca Mountain twice and taken the twice tour. I have no problem with the repository.

I believe it to be safe.

I welcome the opportunity to be of service to our country. *Tim Behrendt*

MDL Group 3065 S. Jones Suite 201

Las Vegas, NV 89146

Voice 702-388-1800 Fax 702-388-1010

Web Site www.MDLGroup.com E-mail tbehrendt@MDLGroup.com

*** To the DOE, EPA, NRC and others involved in the Yucca Mountain Project:**

As a native Nevadan, former journalist and current public relations professional, I've been following Nevada's fight against the Yucca Mountain Project my entire adult life.

After more than 25 years of this, I'm more convinced than ever that the Yucca Mountain Project is bad for Nevada, bad public policy for America and dangerous for future generations. This ill-fated project should be killed immediately for more reasons than I have time to outline here.

Just to hit the big-picture highlights, Nevada was obviously targeted for political purposes back in the early 1980s, when the state had even less political clout than it has now. At the time, perceptions in Congress must have made this site in the Nevada desert look like an easy choice. After all, Nevada had allowed the U.S. government to test and blow up nuclear bombs at the Nevada Test Site since the 1950s. So, it must have seemed like an easy sell to leaders and citizens in more populated states with nuclear power plants (Nevada has no nuclear power, by the way) to bury the most deadly substance known to man in Yucca Mountain, part of the federally owned test site but only about 90 miles from America's boomtown, Las Vegas.

Over the years, studies by scientists working with Nevada and working independently of the state have shown Yucca Mountain to be a bad place to store nuclear waste. As it turns out, Nevada's experts now believe the moisture and heat inside the porous mountain will be more damaging and cause more radiation to enter the environment than if we left the waste where it is now and stored it for the foreseeable future above ground at the nuclear power plants and other sites where it's generated.

Of course, this fight has never been about science or doing the right thing. It's more about politics and perception. We here in Nevada understand why most states want to get rid of their nuclear waste.

And, ironically enough, it looks like that's how Nevada may eventually stop this project - through changing congressional and presidential politics and the growing perception that the DOE is not competent, that transporting all this waste across the country for decades is not safe, and that this policy and this site are fatally flawed.

It's becoming almost comical to see how the DOE, seemingly in cahoots with the EPA, NRC and other federal agencies, persists in pushing this project no matter what problems arise. Every time a major flaw in the process or the project is brought to light, the DOE simply changes its own rules to make the project fit its purposes.

Fortunately, Nevada's not buying what the feds have been selling. A recent public opinion poll by the Reno Gazette-Journal echoes what the state's annual polls have shown for years, proving that Nevadans remain as opposed as ever to this project, with more than 70 percent adamantly opposed and an increasing

number saying this issue has a substantial impact on their vote for president.

Of course, on the political front, having longtime dump foe Nevada Sen. Harry Reid now serving as Senate majority leader should also accelerate the demise of this project. Maybe America's next president will listen to this logic and kill the Yucca Mountain Project. If the next president is a Democrat, that should be a forgone conclusion, since every candidate has gone on record saying they will kill it. If a Republican candidate wins, perhaps he'll be forced to take a similar

If anyone in a position of influence actually reads this, please do what you can to pull the plug now, before we waste billions more of our federal tax dollars on a dangerous project. Do the right thing. Leave nuclear waste where it's generated and secure it on site. Put the untold billions the federal government would have wasted on Yucca into useful science that will someday find a better way to use the waste without burying it forever in Nevada.
— George McCabe

* I am against having Yucca Mountain as repository as when it was conceived and planned the state was mostly desert and now we are the fastest growing state in the union with families and babies and young children. Why the obstinence on the President's part? If some catastrophe happens we will have a real disaster on our hands. Statistics have shown it is dangerous and not feasible. When the A-Tests were here there were serious health consequences to children and babies. IT IS NOT Safe. We are not the dregs of the earth living here like when first conceived and planned. We are no LONGER A WASTELAND. WE DO NOT WANT IT HERE. LET THEM PUT IT IN WASHINGTON AND THEN HEAR THE COMMENTS ABOUT THEM NOT WANTING IT AND THE REASONS WHY NOT. Renee Bassik Senior Citizen 11009 McKendree Ct. Zip Code 89134 (702)838-5657

* Dear Yucca Mountain Officials:

I can't truly express how upset I am at the decision to transport and store America's nuclear waste at Yucca Mountain. There should be a law forbidding the transport of nuclear waste. One accident could make large segments of this nation uninhabitable for years. Not less than a month ago, Las Vegas experienced a potential "Dry Run" that used chlorine. Thank God nothing happened, but just the threat of an accident is far too great to instantly authorize this project. In addition to the obvious risk, Yucca Mt. creates the ultimate target for terrorism. Yucca serves as a monument to our collective stupidity.

Who would argue to place our nuclear waste on an active earthquake fault line? It's as if Al Qaeda thought of this project. Only evil forces would ram this nuclear waste down our throats. What impact will Yucca have on our limited ground water resources? This decision can't be taken lightly.

As San Francisco waits for "The Big One," this project is way too close for my comfort. It's way too risky to house in the backyard of Las Vegas. Building this nuclear waste site irresponsibly encourages the spread of the nuclear technology. Nuclear waste, weapons, and "Dirty Bombs" are enemies we fear most. Passing a law that bans the transport of nuclear waste is essential to protect America against an accidental "Dirty Bomb." It also guarantees that the people choosing to use or benefit from the most dangerous form of energy pays the price in the event of an emergency. In conclusion, I support solar energy, wind, water, and increasing the fuel efficiency of our engines. If others are sold on the value of nuclear energy then let them store the waste in place. If our government backs a program that endangers innocent public citizens with total disregard, it's way too hard to tell who is actually a terrorist. This project encourages and permits a nuclear attack someday on American soil. There ought to be a law to defend us from our own government.

Cecil Jones Las Vegas

* i cannot even for one second, understand how transporting across country and through cities makes any sense to anyone. yet alone burying it so close to a major hub. nothing will be safe for people in las vegas, food, water and safety.

please begin to think of the people for a change, not just lobbyist or whoever put this together. please save us

ron and linda ellen 702 436 0000

Sincerely,
Linda Ellen

* Not only should an expansion of waste facilities be rejected, but the whole project should be stopped!

Nevada does not generate nuclear waste; it should not be compelled to accept it from other states. Those states that generate waste should find a place in their state for disposal. The taxpayer is being forced to pay for a solution that should be the responsibility of the business that generates the waste!

Thanks much!
Amy Thomason

(702) 736-0954

*** Yucca sounds like a nightmare waiting to happen. If it goes through, we will pull up and move out of state taking our new business and family with us.**

It's just too risky and too much can go wrong, including accidents during transportation whilst moving any waste and potential terrorist strikes contaminating everything. Not to mention the ground water contamination from future leaks.

We're pretty sure a contaminated Vegas will leave the housing market even worse than it is as no one will want to move here! So we will quit whilst we are ahead. How many other people who live here think the same as we do. Can the state stand to start losing thousands of residents who are in fear for their lives? Do we need a healthy city to suddenly be given the equivalent of a Doctors notice that we have weeks to live with a brain tumor or cancer?

No to Yucca. Find another solution for the sake of all of us please....

**Mat Baroudi Director An English Gardener LLC
Your Neighborhood Lawn & Pool Care Service 702 496 7326**

*** Hi I'm outraged of the thought that they would move something here that would cause people cancer and other health problems. I would want to move from Nevada real fast, if I find out that they're going to move it to yucca. What a nightmare president that would have that moved here.**

Please accept this missive as our approval/demand that the Yucca Mountain storage facility be expanded and completed in the shortest practicable time. We do not need radioactive waste scattered all over this country where it is easier for terrorists to access it.

**Respectfully, James and
Joyce Higginbotham
Pahrump, NV**

*** It's needed, and our government would do anything to hurt**

NOT II,,,,,

ARE YOU KIDDING ME STICK IT IN YOUR BACK YARD AND TELL ME HOW YOU LIKE IT!!!!!!

*** My name is Steve Sanson President of Veterans In Politics I plan to be at the event on 12/3. My comments are:**

1) With the high level of terrorism how safe is it to travel with the nations nuclear waste through our cities?

2) How safe is it to store all the nations nuclear waste at one location from terrorism and natural disasters?

3) How safe are the transportation vehicles and Yucca Mountain itself from the smallest amounts of radiation leakage?

**Thank You Steve Sanson
President of Veterans In Politics 702 283 8088
www.VeteransInPolitics.com**

*** To whom it may concern:**

As a long time resident of the State of Nevada and Clark County I strongly oppose bringing nuclear waste to Yucca Mountain. It is extremely dangerous to transport across the country and Nevada lays on an earthquake fault. You are endangering the health/lives of the citizens of Nevada and the entire U.S. because of incompetent decisions by so called scientists and politicians.

I will continually fight this issue on all fronts. Leave the waste where it is until we can find a reasonable solution. Too much money has been expended on this project and it is time to STOP. Nevada is not a dumping ground and so called science is not perfect.

Sincerely

Judy Lewis
10604 Royal Willow

* do not want the nations nuclear waste passing through my backyard. With satellite saturation in the skies by every country including 3rd world countries, we are a target for any madman/anti american maniac while in transit, let alone actually targeting the site. I'm not totally convinced the waste will be contained within the confines of the site, who knows what may leak into our ground and water in decades to come. What about traffic accidents along our highways which will spill contents and endanger our over-populated area? What about all the extra truck traffic that will overcrowd our highways and damage our roads? Why not send it to Wyoming, South Dakota, or No. Dakota, these are all states with cities smaller than Las Vegas and or even a total population per state, smaller than ours. The last option is for each state to continue to store their own waste especially in light of the fact that many states have made no effort to curtail waste management even for environmental improvement. Why are we the garbage disposal for the whole country. I don't care how many tax breaks we get, nothing is worth another 3 mile incident of mega contamination, I for one will leave Las Vegas before the 1st truck rolls

Everyone knows that Yucca Mountain is not the safest place to store nuclear waste. Why don't you put it somewhere, that if the barrels, or whatever you keep it in, should leak it won't get into a water table and make millions of people sick? I know the people making these decisions to put it here, don't live here, so what do they care? I say let the states that make it in the first place, make an on-site storage place for it. Then it doesn't have to moved across the whole country, where it has a chance to be hit by terrorists, or have some kind of spillage causing a major disaster. Better yet, let each congress rep/senator who votes for this, have some buried in their backyard and see how they like it.

Why can't we come up with a plan, to safely re-use it? That way it doesn't have to be buried, to cause horrible problems down the road for our children.

Thank-You Valerie Stewart - Las Vegas resident for 41 years

* With all the solar and wind power available in the western states, including Nevada, why not use it?? It's wasteful--shameful--NOT to use it efficiently.

Nevada doesn't create nuclear power, so why should Nevada have to store it??!!

I have studied the possibilities for many years. I am totallagainst all nuclear power, including the waste, and especially against transporting it from all over the US to Yucca Mountain. There are many reasons:

Constantly, for MANY YEARS, all that waste would have to be transported all across the US through towns, main roads and freeways, and railways through towns, and across neighborhoods like yours and mine! And who among us has never seen or heard of a road or rail accident??!! That would PERMANENTLY CONTAMINATE the area, no matter what the "officials" want us to believe. That would ruin neighborhoods, towns, cities, communities and the local, state and national Economy. (Even the thought of all that super-toxic waste coming through your neighborhood constantly would make you move in a hurry, I'm sure! Talk about a housing market slump—you haven't seen anything yet!!!)

Since 9/11, it's all too obvious that even the most lazy criminal mind would find far too many opportunities all across the US to sabotage any (or many) of the shipments that would be going across the US towards Nevada. And once it would be in shipment mode or get to Yucca Mountain, it would be a serious temptation for nefarious minds to figure out how to get some of it for for profit or just cause havoc with threats. We've all seen it too many times!! Just turn on the news. Do we want to INVITE them to steal that super-toxic nuclear waste?? Do we really want to HELP them by making it so easy??!! Where would it be used next?? On you?? On me??

In a previous Nevada hearing, at least one scientist said he wasn't for or against either side of the debate, he just wanted to testify--he wanted everyone to know--that the storage casks WILL LEAK--it's just a matter of when.

Did you ever consider the economic impact to the whole US of any potential spill or seepage??!!

* My friends in Ventura County, CA, explained to me how hard it was and how long it took to gain the trust of Japanese, for example, when they wanted to export their avocados, lemons & oranges to Japan during the "Fruit Fly outbreak". For Many Years, Japan absolutely refused to let anything come into their country that they thought could contaminate them. Imagine what would happen if/when they got word of even a possible contamination from water from Nevada which would be contaminated with radioactive nuclear waste! ! (Remember, the scientists are sure that the waste would leak from here and go into the water, or possibly the wind.) If it were by wind, all it would take would be one Santa Ana Wind for the plants and crops in California to be permanently contaminated (and, of course, the people). If it were by water seepage, as with Colorado River water or ground (well) water, the same would apply. Once the water were contaminated, it would permanently contaminate the plants and their crops.

*** Imagine the economic devastation! ! I know, you're thinking, "So what? That's California, not Nevada." But think about the past--as the economy goes in California, so goes the economy of the rest of the US!! (Not to mention that all of the produce, dairy products, etc., produced in California could not leave California--not even to come to Nevada. There would be shortages! Prices of food would soar! Cancer rates would soar! Medicaid would be negatively impacted--taxes would have to rise!) It would effect All of the US, Not just Nevada.**

Reports and US Senators have said that the waste is contained and at least relatively safe where it is for about the next 100 years!! It is TOTALLY IRRESPONSIBLE to even consider transporting that nuclear waste anywhere! ! Leave it where it is! ! With technology advancing as fast as it is, most likely before that 100 year mark, scientists will have figured out how to reliably convert that super-toxic waste into something relatively harmless. Why not let them try?? What do we have to lose? Dependence on "Big Oil" and the Nuclear Industry??

As was in an article in 11/27/07 RJ, "I think America needs to rethink this entire issue"!

*** As a resident of Nevada I am OPPOSED to the Yucca Mountain site! Please do not bring this here.**

**Thanks, Dennise Brunner concerned citizen and mother 4362 E.Lake Mead
#32**

**Las Vegas, NV 89115
(702)438-0511**

*** The government has been shipping the nuclear waste created by our Nuclear subs and Aircraft Carriers for decades to Idaho. They are shipped via trucks and rail and I have never heard of an incident with these shipments. When will Nevada figure out that the repository would be a CASH cow for our state. We could charge the government 25 million dollars a year to store the material at Yucca Mountain. That money could be used to build and repair our schools for decades. Get smart Nevada, the repository is going to be built one way or another.**

Matt Henderson, NV

*** I am opposed to any additional nuclear wastes in Nevada. It is already a dangerous situation with the event of leakage into the ground water in a state where water is paramount to its existence not only for drinking but for farming. In addition, transporting this dangerous material through largely populated areas does not take into account "what if" situations where accidents would be irreversible and threaten the lives of residents, industrialists and visitors.**

*** As a Clark County resident I find it totally inconsistent that the County would be thanking the rodeo for an economic impact of \$47M for a one time event while at the same time opposing Yucca Mountain which has the potential for a long term economic impact of \$58.9M during construction and \$98.7M during operations.**

It appears from the summary of the environmental impact studies that the adverse impacts from Yucca Mountain are minimal to non-existent when compared with the impacts of City Center or any of the other mega resorts being constructed in Las Vegas. Clark County and Las Vegas should be supporting Yucca Mountain as a solution to this nations efforts to reduce carbon emissions by providing a solution to the nuclear waste issue and thus allowing the expansion of a clean energy source.

If I have a criticism of the impact statements, it would be that they do not take full credit for their potential positive impact on the reduction in greenhouse gas emissions.

Dan Hulbert

*** To whom it may concern:**

For the public comment period on the draft Environmental Impact Statements (EIS) on the Yucca Mountain repository and transportation of high-level nuclear waste, I am one Nevada resident that supports the project.

Sincerely,

**Arthur Throckmorton 3120 Clamdigger Lane
Las Vegas, NV 89 1 1 7-2425
(702)228-9135 arthurt@cox.net**

*** Gentlemen:**

I have read the two supplemental DEIS regarding Yucca Mountain and I am submitting the following comments:

- 1. Draft Supplemental Environmental Impact Statement for a Geologic Repository for the Disposal of Spent Nuclear Fuel and High-Level Radioactive Waste at Yucca Mountain, Nye County, NV (DOE/EIS-0250FS1D) According to Agency for Nuclear Projects Nuclear Waste Project Office, Yucca Mountain is located in**

My greatest concern is that we have a water crisis now, why would we want to possibly contaminate our water supply in the near future. No guarantees on leakage, no yucca mountain.

T. A. Vick Pahrump, Nevada

Not only should a greater facility be rejected, the whole project should be stopped! More routes to Yucca means more opportunities for disaster.

Nevada does not generate nuclear waste; we should not be forced to store it. The states that generate waste should take care of its disposal.

Thanks much!

Amy Thomason

(702) 736-0954

* We strongly protest the attempt by the DOE to continue to deposit nuclear waste at Yucca Mountain when the DOE is well aware of the unsuitability of Yucca Mountain as a repository for spent nuclear fuel as demonstrated by numerous Geologists from the University of Nevada, Las Vegas as well as other Geologists across America. The DOE has continuously ignored the factual data that have demonstrated the unsuitability of Yucca Mountain and persists in changing the criteria that the DOE has itself accepted to determine suitability when additional facts have demonstrated that those previously set criteria have been demonstrated to be unattainable.

To Whom It May Concern:

I would like to express my views on the Yucca Mountain issue. I now that everyone has environmental concerns about that project and I have some of the same. Overall, I think that Nevada could benefit tremendously from the storage of the countries nuclear waste. Let me explain. Nevada should embrace the idea of this project, but do so with conditions. First of all we should demand certain benefits from the federal government, such as funding for state projects. This funding could be for schools, roads, and water projects. Nevada should look at the economic possibilities that could be associated with this project. Think of all the jobs this project would bring to Nevada and we could require that prevailing wage be a minimum requirement to be paid for all employees. We could also demand that at least 50% of all the jobs be slated for people that live in Nevada. Our state could demand a lot of federal funding to help facilitate the many projects we currently cannot finance with our state budget. Thank for your time and consideration on this matter

Dan Osborne

Assistant Training Coordinator Local 525 Las Vegas, NV

an area that the US Geological Survey classifies as very prone to earthquakes.

Also, it has been recently discovered that there are 10 earthquake faults within 20 miles of Yucca Mountain. One fault, The Solitario Canyon, just west of the planned repository is capable of producing a 6.5 magnitude earthquake. How damaging can a seismic event, such as this be? What other types of studies are being done to make sure the repositories are safe?

2. Draft Supplemental Environmental Impact Statement for a Geologic

Repository for the Disposal of Spent Nuclear Fuel and High-Level Radioactive Waste at Yucca Mountain, Nye County, Nevada--Nevada Rail Transportation Corridor (DOE/EIS-0250F-S2D) It has been recently reported that The Yucca Mountain Project will need up to three times it's current funding, or the 2017 opening date will have to be delayed. Can you tell me the plans to cut the budget without sparing the expense of America's safety? As a Nevada resident, I am concerned that cutting budgets will also cut the quality of securing the facility and railway construction, which in turn can and will affect the project in the future. How can you assure me that will not happen?

Thank you for your time and consideration.

Anna Tieri

* What I heard on TV was all about money!!!! That has become the root of all evil in our country. If you've read the story of Erin Brocovitch, or saw the film, you can see how expensive this project can be years down the road because of the health consequences. When will our great US government get that?

How can we spend billions touting environmental improvement and still make such irresponsible decisions? Shame on government and big business. Do you

REALLY care about your citizens' health or is it more profitable to have them sick and inflate the pockets of big drug and insurance companies? I hope you can all sleep at night after making such poor choices.

Concerned, Judi Rosenthal Henderson, NV

*** Las Vegas and Southern Nevada resident do not want the waste sent to our state. There is no way it can be safe for our residents. There will be accidents etc.**

Why should other states send their waste here??? Let them store it in their own states who gain the benefits from the Power Plants. Nevada has no Nuclear Power Plants and shouldn't have to bear the burden of storing the waste.

Please stop them from bringing it to Yucca

Mountain. We don't want it here, it is not safe.

Thank you - Please voice my opinion as

NO. Barbara Volk

I am opposed to any and all activity and testing at Yucca Mountain or any other nuclear facility in or around Nevada.

I am against storing waste at Yucca Mountain.

I am against using any and all water resources at Yucca Mountain or any other nuclear test site or storage site.

I wish to voice my support for the Shoshone treaty and the Shoshone people and would like to request that the land that was taken from them be returned to them as promised and legally negotiated in the treaty.

Thank you for your time.

*** We are opposed to the location of nuclear waste storage facility at Yucca**

Mountain. I know we are being told it is a safe place for radioactive materials by the DOE. However, 50 years ago we were told by the DOE predecessors that the emissions from atomic bomb testing were safe for Nevada, Utah, etc. If the DOE does not think it has been a problem, they should take a look at the incidence of cancers of the people down wind.

A better plan would be to store the materials on site where they have been created. Nevada does not generate this waste product and should not have to store it for the next 10,000 years or so.

Dennis and Theodora Law PO Box 60224
Boulder City, NV 89005

*** I am sending this objection to storing this potentially hazardous waste anywhere it has to be shipped across several states or stored anywhere in large amounts. We recycled a lot of waste these days – why can't the scientists find a way to recycle this deadly substance.**

I remember when the tests were being conducted on the atomic bomb in the forties and the sickness caused then and the people affected are still being treated for radiation sickness -some have delayed effects and others have on going issues. Do you really want everyone in the US affected by this?

The shipping of this substance would be a good target for the terrorists in the world as well as the containers will produce a chemical reaction to the natural elements over time and contaminate the ground water in Nevada as well as other areas that will receive this ground water

*** PLEASE HALT THIS WASTE OF TIME, MONEY AND POTENTIAL HEALTH ISSUES.**

*** There is real concern about transporting radio active waste through our city. It opens Las Vegas up to terrorism, pollution and health hazards. Why not keep storing the waste where it is made? Have those states build a repository for their waste. Why do we need a central location?**

Once the waste is stored, there is concern of it leaking into the ground water polluting our precious water resources. Not enough research has been done to address this concern adequately.

**Roseann Gilmore
r_gilmore@combarq mail.com**

ALON: Why don't you folks consider a recycle plant for the radioactive waste? You know,

*** sooner or later that stuff is coming to Nevada. Have big busines, casinos and even the government subsidize the building of the plant and give them tax breaks; except for the government. Let the states pay Nevada to recycle their waste. France is doing it and coming along real well with it. MOVE FORWARD AND NOT BACKWARDS!!! It will take time so put it on the table and kick it around a bit.
Thanks, Joe**

*** As a Nevada resident since 1990, I find myself in full support of the Yucca Mountain Project, the current waste holding sites spread across America at this time are a larger threat to the entire nation than this site will ever be to the residents of Nevada. Hanford, Washington-Denver, Colorado-Various Sites in Arkansas, Louisiana, New York, New**

Jersey all involved in the food chain of this nation (near rivers, fields, high population areas).

As a nation we must put our private personal needs, wants, and desires aside for the benefit of the entire nation, too much money has already been spent digging this hole in the middle of Nevada, lets put some stuff in it and charge the companies that created the waste-the super fund is already in place-unless of course Harry "Lets Spend It All" Reid has already dug in to that fund too

In short build it, open it run it-create good high paying jobs for legal citizens of the US

Thank You

*** no no no no Nevada is not a dump !!!►!!!►►!!!►!!**

*** Dear DOE, Federal Government, General Public, Citizens of Nevada,**

I speak for my Family of four We do not support the Shipping and Storage of Nuclear waste at Yucca Mountain. For Years The rules have changed to meet your needs to make it ok to store it 90 miles outside of a major tourist destination. The mountain is not safe, the water table rises too high, Yucca Mountain is an inactive volcano on a fault zone in the 2nd most active state for earth quakes. The science is not sound. The shipping is too dangerous when accidents occur and there are acceptable amounts of accidents according to your studies there is a 26 mile contamination zone. Whose family is it ok to risk ? We are not expendable we are Americans!! Lets do what's right for everyone store the waste in place until science can find a way to continue to use the energy. The danger to the reactor sites will always be there as long as the reactor is producing energy.

Bella Yourgules-Scholes

*** I do not want Nevada to become the dumping ground for nuclear waste from other states and countries.**

Mr. Bush promised Nevadans that he wouldn't make a decision on this until the scientific information was in to confirm or deny Yucca Mountain as a suitable storage facility. However, since the scientific evidence has shown Yucca Mountain is unsafe for this storage, it appears our government agencies are changing the rules and lowering safety standards to accommodate the storage.

If the storage boxes the government plans on transporting the waste in is as safe as they claim, then why don't the nuclear plants store them on site until our government can figure out a safe way to dispose of it or recycle it?

Using trains and major highways to transport this lethal garbage is very dangerous because there will be accidents. You will put many towns and people in danger.

Why in the world do you want to build more nuclear plants, when you don't even know what to do with the waste from the existing ones?

Nevada doesn't reap any benefits from the plants, so why should we be burdened with the waste? It will devalue our property and devastate our tourism.

Keep your garbage out of Nevada.

Gertrude Carlson 235 Winona Drive Henderson, NV 89015

*** NO YUCCA MOUNTAIN!! I don't want nuclear waste transported through our beautiful city. it is a concern for the reason that Las Vegas is a growing city. Nuclear waste does not need to be transported through our freeways that have thousands of accidents each year. What is going to happen if a vehicle transporting nuclear waste gets into a severe accident? how will the scene get cleaned up? how will nuclear waste effect our environment, air, children and families? There are many concerns especially for those who have grown up here in Nevada and want to raise their family in Nevada. PLEASE LET THIS BE HEARD!**

Comments from long-time residents of Clark County concerning Yucca Mountain:

We have lived in Clark County since the early 1960's. We are very concerned about the U.S. Government's attempts to use southern Nevada as a nuclear repository for nuclear waste gathered from all over the U.S. Following are reasons why we are 100% against having the waste stored in Nevada:

Seepage into our ground water. This would be a health disaster which would last for decades. Earthquake activity. Nevada is the state with the third highest rate of earthquakes. Once again, the radioactivity could find its way into our groundwater or into the atmosphere.

Transportation accidents. Transportation of nuclear waste by truck or railway is always open to accidents. Southern Nevada recently had an incident where a railway car started rolling down the rails and had traveled quite a distance before anyone realized what was happening. There are truck accidents every day. Why does anyone think there won't be accidents while transporting nuclear waste?

Terrorist activity. Yucca Mountain would be a prime target for terrorists.

Is all this worth it? There are other ways to store the waste that does not involve transporting it hundreds and thousands of miles to Nevada.

Nevada is not a wasteland. It's time the rest of the United States realized that. It is home to millions of U.S. citizens. Do other states want to store the rest of the country's nuclear waste? Of course not, and neither do we.

Phil and Kathryn Rothermel 2164 Marstons Mills Ct. Henderson, NV 89044

*** Why don't you but on the site a large Nuclear Power Plant and a Nuclear Waste Recycling Plant. Then give the people of Nevada free electricity and a Permanent Fund Dividend like**

Thanks Robert Wetzel

Henderson, Nevada

*** DO NOT DUMP NUCLEAR WASTE AT YUCCA MOUNTAIN !!!!!**

**WHAT KIND OF NUT CASE VOTES TO DUMP NUCLEAR WASTE 90 MILES FROM A PLACE WHERE 44 MILLION PEOPLE GATHER ANNUALLY?
WHAT KIND OF SOCIOPATH POLITICIAN WOULD DO**

*** Does the government have a reputation of telling lies???? Forget it !!!**

*** This email is to serve as my voice in an attempt to convince upper powers that WE IN NEVADA DO NOT WANT THE WASTE OF THE WORLD IN OUR BACKYARD. It's ludicrous...let everyone keep- thier own crap. We don't want our water tables poisoned, nor do we want to subject our communities to the impending dangers from transporting poisons accross our country and especially into our homes here in Southern Nevada.**

PLEASE NO NO NO.... WE DON'T WANT IT!!

Debi Ballou

*** I don't feel the US government has handled the Yucca Mt. project honestly or effectively. Cost overruns, bad science, and too long a timeframe and delays are common.**

A bad project schedule which didn't include a rail line layout to the site early in the process resulted in most of the nation not realizing transporting nuclear waste was an issue for them. Faulty planning and execution of a poor plan didn't properly evaluate and handle longterm safety.

Stop this project - don't expand it. Don't recommend further nuclear sites. We haven't figured out how to handle the waste from the many nuclear contaminated sites we already have.

*** This has been as badly handled as the Gasification Project at Hanford where they started building the facility before they knew what was going to be put inside. Then they found more earthquake faults and had to redesign the project. The US government can't handle big projects like this. The contractors are the only ones that benefit - not the taxpayers. They can reorganize and call themselves by different names - but that doesn't change the process.**

The bad science is evident from more than just the leaked e-mails. Earthquake faults and water studies, for example, have been proven to be incomplete.

Stop this project in Nevada.

Sandra Reuther Boulder City, NV

*** Storing low level nuclear waste at Yucca Mountain was and is a great idea for Nevada, it will bring prosperity to the state for decades to come. As to the topic of safety; Yucca Mountain will provide the safest possible storage and much safer than the temporary storage sites scattered all over the U. S.**

**Thank You,
Dave**

*** As a resident and voter of Las Vegas I am appalled that anyone could even consider the shipment of toxic, deadly nuclear waste on our rails and roads. This waste is being stored somewhere currently why risk the citizens of this country by moving it? If states are going to create this waste it is their responsibility to dispose of it! We are not the trash dump for the nation! I will do what I can with my votes to ensure the nation does not destroy what we have in this state. We want clean safe water and soil and air. Do not think you can risk our natural resources without paying the consequences.**

Sue Miller

*** I am writing this to support the proposed Yucca Mountain Repository project. As many people do not seem to understand, DOE promised to collect and dispose of the spent nuclear fuel from all U.S. nuclear power plants when the plants were originally licensed. In 1985, when the Yucca Mountain site was selected for detailed study, there was no public outcry against the site. For 22 years, hundreds of top scientists from government and consulting companies have moved into this area, supported the economy, and raised their children. Local politicians certainly did not complain about that. Now, when the final stage of this work is ready for authorization, there is a swell of opposition. It is an unforgivable hypocrisy capable only of politicians. They can complain all they want but the bottom line is the repository is a federal project on federal land run by a federal agency. Their whining is for no purpose except to get themselves reelected by members of the public who do not know the facts.**

Carol Sweet

Registered Democrat

and

Las Vegas Resident for 12.5

years

*** Transporting Nuclear waste for storage in Yucca Mountain defies common sense. Nuclear waste needs to be stored in the areas where it is used. Government decisions need to be based on common sense not political agendas. Which government official is willing to take "personal" responsibility for any accidents due to transporting of the nuclear waste, as well as any problems resulting from its storage at Yucca Mountain – a proven unsuitable site.**

**Michele Winsten
10229 Quaint Tree St.
Las Vegas, NV 89183
(702) 303-5578**