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**STATEMENT OF
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 OFFICE OF THE GOVERNOR, NEVADA AGENCY FOR NUCLEAR PROJECTS**

**TO THE U.S. DEPARTMENT OF ENERGY
 OFFICE OF CIVILIAN RADIOACTIVE WASTE MANAGEMENT**

**REGARDING THE DRAFT 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**

**PRESENTED AT THE PUBLIC HEARING IN ELY, NEVADA
 OCTOBER 19, 1999**

The National Environmental Policy Act (NEPA) process is the primary entree the public has to participate in federal decision-making on actions that may or will significantly affect the environment, including the human environment. The Nuclear Waste Policy Act of 1982, as amended, requires that the Department of Energy issue an Environmental Impact Statement (EIS) to accompany the recommendation by the Secretary of Energy to the President that the country go forward with development of a high-level nuclear waste repository at Yucca Mountain, if such a recommendation is made.

The NEPA procedures are designed to "*insure that environmental information [including information on the human environment as well as public health and safety] is available to public officials and citizens before decisions are made and before actions are taken.*" The purpose of these NEPA regulations is to assure that federal agencies respond according to the letter and spirit of the Act.

The program that the this particular draft Environmental Impact Statement (DEIS) is required to address is not just another federal project like a dam or pier or even a research facility. The Yucca Mountain program is entirely unprecedented in its scope, its time frame, the geographical area of potential impact it encompasses, and the fact that it contemplates the concentration of tens of thousands of tons of some of the most toxic and long-lived waste products human society has produced in one location.

1 [The final EIS must, therefore, address not only the more traditional effects of a large and complex project - impacts to the environment, to public health and safety, to area populations, and to state and local economies - but the final EIS must also address those impacts of the program which derive from the highly controversial nature of this activity and the fact that the program involves the handling, movement, and storage of *nuclear* waste materials. This project will impact not only the host state and host community, but also thousands of communities and millions of citizens located along highways and rail lines that would be used to ship deadly nuclear materials from the facilities where they were generated to the Yucca Mountain repository.]

2 [With respect to eastern Nevada, the DEIS fails to consider the potential impacts of legal weight truck (LWT) shipments of Spent Nuclear Fuel (SNF) and high-level radioactive waste (HLW) through Elko and White Pine Counties. Studies prepared for the Nevada Department of Transportation (NDOT) have identified Alternate US 93 from West Wendover to Lages Station, US 93 from Lages Station to Ely, US 6 from Ely to Tonopah, and US 95 from Tonopah to Yucca Mountain as a possible route for highly radioactive materials shipments. Appendix J of the DEIS identifies this route, the so-called "NDOT B Route," as a potential state-designated alternative route for truck shipments to the repository. DOE used portions of this route for truck shipments of SNF from the Nevada Test Site to the Idaho National Engineering and Environmental Laboratory in the 1980s.]

According to the DEIS, there could be about 49,500 to 96,000 LWT shipments to the repository under the mostly truck scenario. Ninety percent or more of these shipments, an average of 5 to 10 trucks per day, could travel the NDOT B Route through West Wendover, McGill, and Ely.

3 [The Draft document fails to consider unique local conditions along the NDOT B Route that could result in significantly higher routine radiological exposures than those calculated using by DOE using the RADTRAN 4 computer model. For example, individuals who reside, work, or attend school at certain locations within 6 to 40 meters (20 to 130 feet) of a nuclear waste highway route could receive exposures in excess of the average annual background radiation dose. DOE has failed to investigate whether such conditions exist near school zones and pedestrian crossings, left-turn lanes and traffic signals, congested intersections, and uphill grades in West Wendover, McGill, and Ely.]

4 [The DEIS also fails to consider unique local conditions along the potential truck route that could cause unacceptable safety and security risks for truck shipments using General Atomics GA4/9 casks. Primarily a rural two-lane highway with numerous steep grades and sharp curves, the route traverses high mountain passes subject to severe winter storms. Long segments (up to 60 miles) have no safe parking areas, few refueling facilities, and limited local emergency response capabilities. The Draft report assumes that almost all truck shipments will be made in the new GA-4/9 casks. The weight of the loaded GA-4/9 cask requires that it be used in conjunction with a specially designed trailer, a lower weight, cab-over-engine tractor, and a single fuel tank. DOE has failed to demonstrate that the GA4/9 system is appropriately designed for a decades-long, nationwide shipping campaign to Yucca Mountain.]

5 [The Draft EIS fails to consider unique local conditions along the NDOT B Route which may increase the probability of severe accidents, and which could exacerbate the consequences of a severe accident or terrorist attack resulting in a release of radioactive materials. There are numerous mountain passes, such as White Horse Pass, Currant Summit, Black Rock Summit, Sandy Summit, and Warm Springs Pass. Near-route terrain frequently includes drop-offs into deep canyons or river valleys that would make response to an accident or attack, and recovery of the cask, damaged or not, quite difficult. Route proximity to surface water and groundwater resources is a major concern. DOE has failed to address the implications of route-specific conditions for accident prevention, emergency response, and the economic costs of cleanup and recovery.]

6 [The DEIS fails to consider unique local conditions along the NDOT B Route which could result in unacceptable adverse socioeconomic impacts. During the past decade, there has been significant demographic and economic growth in and around West Wendover and Ely. Most of the new commercial development, including hotels, casinos,

6 cont. restaurants, and retail sales establishments, has occurred within two miles of the NDOT B Route. The Draft EIS ignores the potential adverse impacts of large numbers of SNF shipments on tourism-based economies located near highway routes to Yucca Mountain. State-of-the-art risk studies sponsored by the State of Nevada researchers have documented the public perception of risks associated with nuclear waste transportation. DOE has failed to address potential adverse impacts on year-round tourism, seasonal tourism, and special-event tourism; the effects of risk perception on property values along shipping routes; and risk-related impacts on business location and expansion decisions.]

7 [Finally, the draft EIS fails to consider transportation impacts on specific Native American communities located in proximity to potential spent nuclear fuel and high-level radioactive waste routes. In particular, there is no evaluation of possible impacts to the Duckwater Reservation, which is located in proximity to US 6 and the NDOT B route.]

8 The State of Nevada will be submitting extensive written comments on this Draft Environmental Impact Statement for a high-level nuclear waste repository at Yucca Mountain. [It is our hope that these comments and those of all others will be seriously considered, and that a reasonable No Action alternative (as opposed to the unreasonable and unrealistic ones contained in the draft document) is selected as the preferred action in the Final Environmental Impact Statement.]