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MR. DAVID KRAFT: Good afternoon. My name

6 is David Kraft, K-r-a-f-t. I am director of
7 Nuclear Energy Information Service in Evanston,
8 Illinois, 847-869-7650. NEIS was founded in
9 1981 to act as Illinois' nuclear power watchdog
10 organization, and not a moment too soon, because
11 1982, the Congress enacted the High-level
12 Nuclear Waste Policy Act, which has brought us
13 all together today. So we are no strangers to
14 this issue.

15 Our oral comments today focus
16 primarily on the process and the policy that has
17 led us here. Our technical related comments
18 will be posted to the DOE Web site. While we're
19 encouraged to be here. We are also

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20 dismayed that the Department of Energy had
21 refused to hold hearings in Chicago and
22 Cleveland, two of the most populous cities, and
23 one of the most populous corridors of this
24 project, until being forced to do so practically
1 on December 28th by representative Dennis
2 Kucinich of Ohio. We are glad that they
3 rectified the error, but we wonder why they
4 waited too long, and we hope this isn't going to
5 be not characteristic of the process in the
6 future.

7 After closely watching and
8 participating in the national debate on this
9 issue for two decades, we're reminded of the old

10 story of the ancient King Kanute of Denmark, who
11 was so impatient to begin his invasion of
12 England that he tried to try command the waves
13 holding his ships back to recede, with
14 predictable results.

15 Laughable as poor Kanute might seem,
16 we've watched the U.S. Department of Energy use
17 the very same method attempting to create the
18 nation's first high-level radioactive waste
19 perpetual storage facility at the proposed Yucca
20 Mountain site. [Over the years we've watched as

21 Congress winnowed down the number of sites to be
22 researched from nine to six, then to three, and
23 finally to one. But for political reasons, not
24 scientific ones.

1 We've watched as Congress redefined
2 the scientific method, if you can call it that,
3 quote, unquote, at the Yucca Mountain site
4 characterization, by stating that Yucca Mountain
5 will work as the nation's first high-level
6 radioactive waste repository, unless the
7 Department of Energy could find good reasons why
8 Yucca Mountain should not be used.

9 We've watched as the Department of
10 Energy failed to follow even its own procedures
11 requiring Yucca Mountain's dismissal as
12 disqualifying evidence has mounted that should
13 have ended the characterization.

3 14 We've watched as the Nuclear
15 Regulatory Commission, a rogue agency
16 accountable to no one except the bidding of the
17 nuclear power industry, attempted to usurp the
18 Environmental Protection Agency's authority on
19 setting radiation exposure limits for the public
20 at Yucca Mountain, when it became evident that
21 Yucca could not meet those accorded to the rest
22 of U.S. public.

4... 23 We watched as year after year the
24 nuclear power industry's allies in, as Mark
1 Twain put it, the best Congress that money can
2 buy, and the Department of Energy have attempted
3 to ram a very square peg of Yucca Mountain's
4 many geologic flaws down the round hole of
5 reason, by systematically changing and weakening
6 standards so that the site at Yucca Mountain
7 could never be ruled as a failure.

8 We have a situation where the
9 standards are being fitted to the site as
10 opposed to the site meeting the standards. And
...1 11 now finally in Chicago, we have a last minute
12 perfunctory appearance, a public hearing, where
13 the Department comes before the Illinois public
14 trying to convince us that our opinions will be
15 heard and that our concerns will be valid.

...4 16 We have seen this process deteriorate
17 or perhaps mutate, from one which was supposed
18 to find the best, the most geologically sensible

19 site in which to store for a minimum of 10,000
20 years, some of the most hazardous materials
21 humanity has ever produced, and it has
22 deteriorated to one which, like King Kanute's
23 situation, attempts to linguistically cure all
24 of the known geological problems of Yucca
1 Mountain by making the standards fit the site.

2 Contemplate our society, if you dare,
3 if we were to extend that same kind of
4 methodology to other social problems, like drunk
5 driving, drug abuse or storing some hot-zone
6 microbes, like Ebola virus.

5...

7 In our opinion this has become a
8 disingenuous process, lacking in credibility and
9 integrity. It has long since abandoned true
10 scientific investigation, quote, "to know," in
11 favor of one, quote, "to show."

12 DR. LAWSON (Facilitator): 30 seconds,
13 please.

14 MR. KRAFT: And now the Department of Energy
15 can say that they had a hearing here in
16 Chicago. The Illinois Department of Nuclear

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17 Safety tried unsuccessfully for four years to
18 make a flawed, unworkable Martinsville,
19 Illinois, site acceptable for the storage of
20 low-level RAD waste.

21 We were there and stopped them, but
22 not until they wasted \$90 million, seven years,

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23: and took their credibility down to zero. We are
24: afraid that the Department of Energy is engaging
1: in the same failed strategy. If you spend
2: enough of their money, they'll have to accept it
3: even if it doesn't work, because we've
4: deliberately closed off all the options.

5: We'll continue to do what we can to
6: stop the site at Yucca from receiving nuclear
7: waste under these circumstances. We have no
8: control over DOE's lost credibility, but perhaps
9: they can get the NRC, like King Kanute, to
10: command its instant restoration. Thank you.