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Regarding Draft Environmental Impact Statement for the Yucca
 Mountain Proposed Nuclear Waste Repository
 Or
 "Another Nuclear Blunder in the Nevada Desert"

1 [The Draft Environmental Impact Statement for a Proposed Nuclear Repository at Yucca Mountain, in Nye County, NV (hereafter referred to as DEIS) does not adequately address too many issues. This document is fraught with lies, racism and bad science. As you will see there are several reasons to start this DEIS process over. To wait until the research is done, and to reconsider the rush for a quick fix to the nation's nuclear waste problem. Every nuclear waste dump that has ever been built has leaked, this is a bad track record for the Department of Energy (hereafter referred to as DOE). I request that these comments and questions be answered personally as soon as possible, and that they be made a part of the permanent record.]

2 [The National Environmental Policy Act of 1969 (NEPA) is our basic national charter for protection of the environment, and all the living things within it. The NEPA process, of which this DEIS is a part, is "intended to help public officials make decisions that are based on understanding of environmental consequences, and take actions that protect, restore and enhance the environment." This Draft Environmental Impact Statement proposes an action which will in no way protect, restore or enhance the environment.]

No Action Alternative—

3 [The No Action Alternative does not meet the NEPA requirement that it be a reasonable alternative to the Proposed Action. Neither of the two scenarios analyzed as the No Action Alternative would ever be considered for implementation. Scenario 1 assumes that spent nuclear fuel and high-level radioactive waste would remain at the 77 source sites under institutional control for at least 10,000 years. Scenario 2 assumes that the waste would remain at the 77 source sites, but under institutional control for only about 100 years. "DOE recognizes that neither of these scenarios is likely to occur if there was a decision not to develop a repository at Yucca Mountain" (DEIS, K-1). However, they are part of the analysis to provide a baseline for comparison to the Proposed Action. If the alternative is not reasonable, then the comparison is also not reasonable, or of any value whatsoever.]

4 [The DOE was not prohibited from looking at reasonable alternatives as Ms. Dixon seemed to suggest in her presentations. The need for a reasonable no action alternative is mandated by NEPA, and once again the DEIS falls short.]

32 [A realistic no-action alternative would have been to suggest that these 77 sites stop their production of spent nuclear fuel and high-level radioactive waste, and that indeed all production sites stop the production of these deadly materials, until a safe and sane solution to the hazardous disposal of these materials can be come to with a clean scientific conscience- not the political dirty work that is pushing this ill-prepared dump to go through.]

Transportation

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5 The DEIS does not identify and specifically analyze national transportation routes for rail and highway shipments, although highway routes can be identified by applying national highway routing regulations to these shipments, and rail routes can be identified by examining available rail lines and their classification. The DEIS could have analyzed impacts specific to national transportation routes after first identifying the routes, based on available information, but it did not make such an analysis. Instead it performed a limited generic transportation analysis that avoided analysis of specific conditions, impacts, and hazards along the routes. A new EIS is needed to fully evaluate the impacts of transportation of nuclear waste across thousands of miles to Yucca Mountain. This EIS also needs to go through the full NEPA process, and hold hearings in (at the least) all 109 of the cities (of 100,000 or more people) along the expected routes.

7 It seems that for many years the nuclear community's greatest fear is that they will be forced to identify routes for the transportation of waste from reactor sites to Yucca Mountain. The DOE is well aware that the day they specify the transportation routes, the controversy over Yucca Mountain will no longer be a Nevada issue, but will be a source of extreme and vocal outrage in hundreds of communities, large and small, across the nation. The nuclear communities strategy all along has been to delay as long as possible this day of reckoning, and hope that by the time the routes are announced, effected communities along the routes will have missed their opportunity to weigh in, and will be powerless to block the shipments.

Individuals living along the transportation routes have the right to know if the federal government's plans to build a repository at Yucca Mountain will expose their children's school, ball-field, or playground of nuclear exposure or accident. Americans across the nation are entitled to know if any of these tens of thousands of shipments will pose a risk to their water supply, their communities, or their own front porches. It is the DOE's responsibility to make people aware of their actions.

8 One area of concern in nuclear waste transportation is the exposure of waste handlers, drivers and the general public to radiation even during routine (non-accident) conditions. Even though shipping containers are shielded and designed to reduce exposures to radiation being emitted by the spent fuel or high-level waste, federal regulations allow a low level of radiation to emanate from the casks. As we all know, even low-levels of radiation have adverse health effects.

Even after ten years of cooling, spent nuclear fuel emits dangerous levels of gamma and neutron radiation. A person standing one yard away from an unshielded spent fuel assembly could receive a lethal dose of radiation in less than three minutes. The surface dose rate of spent fuel is so great (10,000 rem/hour or more), that shipping containers with enough shielding to completely contain all emissions would be too heavy to transport economically.¹

Federal regulations allow shipping casks to nuke the public at about 10 millirems/hour at 2 meters from the cask. What happens to the driver? Does a standard driver then get 100 millirems per ten hours driving? Routine exposures become especially problematic in situations where the transport vehicle is caught in heavy traffic with cars and other vehicles in close proximity for extended periods. Routine exposures also are of concern when the cask vehicle is stopped for repair, fueling, inspections, etc. Were the cumulative health impacts to toll booth workers taken into effect? What about gas station attendants? Were these people even notified about this hazard passing through their work areas? Does that violate Occupational Safety and Health Standards?

9 Between 1957 and 1964 there were 11 transportation incidents and accidents involving spent nuclear fuel shipments.² Several of these incidences resulted in radioactive releases requiring cleanup. This statement is completely contradictory to what has been expressed at public hearings across the country. If the DOE persists in lying to the people, they will surely come to regret it in the future when the individual liars themselves are doomed to suffer from this nuclear nightmare.

¹ State of Nevada Nuclear Waste Project Office

<http://www.state.nv.us/nwnwaste/yucca/bf/act01.html>

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Public Process

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10 Firstly, how is a single working mother supposed to find out that this plan is in the works? When you work eight or ten or twelve hours a day, then have to go pick up the kids, cook, clean, and live your life, where do you get the time to go looking for the DOE's attempt to poison you? How is the average citizen supposed to find out about public hearings- the Federal Register notices are not published in my local newspaper, and I honestly don't know where to go to look at the Federal Register and what is published there. There is internet access, and I do have a computer, but it doesn't work all that often, and I just don't have the time to wade through this document.

I personally had to make six attempts to get the DEIS. I called 4 times, wrote once, and sent one email (from the library). Only after I had been waiting a month, and finally called one last time did I get the document (*two* copies somehow- I donated one to the local library). Once I got it, it was so hard to wade through. Not at all user friendly- for the next rendition of the DEIS I suggest that you consult with people who do not have a scientific background - I heard that the State of Nevada had offered some help, y'all might want to take them up on that. I talked to my neighbor about getting a copy, but he doesn't speak English, and was unable to get one in Spanish. This isolates people from obtaining the information that they are interested in. DOE should take measures to ensure that *all people* are able to participate in this process which will undoubtedly effect them.

11 The hearing held in Las Vegas NV, on January 11, 2000 was ridiculous. There was not enough space in the room to hold all the people who showed up. There was not enough time for everyone to speak, and than half of the people who showed up were given the opportunity to voice their concerns about this inadequate document. I myself couldn't get into the hearing room at all during the Question and Answer period, and I had some specific questions.

When we asked the DOE to schedule another hearing, they said no. People have families, they have jobs, they are not able to stay until after midnight to maybe speak at a hearing. The DOE scared people off from signing up during the evening session by telling people "If you sign up now, you won't get a chance to speak until 1:30 or 2 AM". This is a complete violation of NEPA. Intimidation of community members who want to have their voices heard is completely inappropriate, and I am shocked by this behavior of the members of the DOE who were present.

12 Across the nation, hundreds, if not thousands of communities will, like Nevada, find their public health and safety threatened by the shipments of high-level nuclear waste to Nevada. Most of these communities are today, as a result of the DOE's refusal to identify specific routes ignorant of these risks. The DOE held a grand total of twenty one public meetings, yet the routes suggested pass through forty-three (43) different states. At least one hearing should have been held in each of these states, and more in the more populous regions. When will it be publicized in these cities that the DOE plans on shipping deadly substances on their roads? The failure by the DOE to identify these communities, and to put their citizens on notice of the implications of Yucca Mountain for them, makes a total mockery of the entire system of public notice and comment required by the National Environmental Policy Act. (NEPA).

The DOE must take the responsibility in informing the 50 million people along the routes of the dangers awaiting them if Yucca Mountain is opened. So far, it seems that the DOE has been too ashamed of admitting the danger it's putting the population of this country in (again- is this how we can ALWAYS expect to be treated by the DOE?)

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Health Effects

- 19 [The DEIS fails to adequately address the cumulative health effects of opening, operating and eventually closing a nuclear waste repository at Yucca Mountain. As we know from Dr. Ernest Sternglass' research, as well as what was discovered in 1972 by Abram Petkau is that constant exposure to low levels of radiation have a more harmful cumulative impact than do singular high level exposures. Was the Petkau effect taken into consideration in this DEIS? Why were the only health effects listed latent cancer fatalities, when it is common knowledge that radiation can also adversely effect the human genetic structure, cause birth defects, mutations, and numerous other cancers which are not always fatal? I understand that in DOE speak a health effect is equal to death, but for the rest of humanity a health effect is much, much more than that.]
- 20 [No health insurance policy currently sold in the U.S. will cover an individual from radiation poisoning, from the contamination which is associated with nuclear power and nuclear testing. What about car insurance, are my rates going to go up because I live along a nuclear waste route?]
- 21 [Nuclear power plants are required to have a 50 mile radius emergency planning zone. How come the DEIS only looks at a half mile radius of these transportation routes?]

Economic Impacts

- 22 [Part of routine transport for this dangerous material is local preparedness- local emergency responders will be the first one on the "incident" scenes. In 1981 the NRC estimated that the price tag for a fully prepared state emergency response system would cost \$5.6 million ANNUALLY (1981 dollars). This does not include infrastructure improvements and maintenance that are likely associated with state efforts to designate alternate routes. Congress is making no direct effort to ensure any level of funding will be available. Having spoken with Clark County Police, they are not currently prepared for a major hazardous spill of any sort, let alone a nuclear spill (and trucks are currently going through Las Vegas- 22 of them in January 2000¹)]
- 23 [Other economic impacts include cost of unrecovered health impacts, negative effects on business, tourism, property values and property marketability, and unclear liability for these effects. Property values along nuclear waste transport routes are bound to drop, and this could make State and local governments liable according to a recent court decision in New Mexico.]
- 24 [The DEIS only used 1990 Census data. I am shocked by this, since even city planners project urban populations at least 20 years in advance. Southern Nevada is one of the fastest growing regions in the country. Only 12 miles from Yucca Mt. lies numerous dairy and agricultural (including several organic dairies and farms) industries. One of these dairy's ships 30,000 gallons of milk per day to Los Angeles, was this taken into consideration in this document? I don't think that it was, and this is another reason to start the DEIS process over.]
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¹ As stated by Clark County Commissioner Myrna Williams, on FOX Las Vegas, January 18, 2000

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Environmental Justice

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26 [The DOE states in the DEIS that it believed there would be no disproportionately high and adverse impacts to minority or low-income populations as a result of the Proposed Action, including international transportation. This claim is obviously false, since already heavy-weight truck and rail routes throughout this country are placed in low-income, people of color communities. That this environmental racism would change with this proposed action, is as likely flying toads (although with continued accidents throughout the country, I'm sure that flying toads caused by radioactive mutation are getting closer and closer).]

27 [This DEIS also provides no response to the Western Shoshone position that this dump would be placed on sacred lands, and that this is tribal land under the Treaty of Ruby Valley (which makes no accommodation for a hole in the ground that will threaten the lives of the next 700 generations). To put a nuclear waste dump on sacred tribal land is not going to work. Where in the DEIS did you figure out how to deal with the continued use of the land for ceremony? Yucca Mountain is a traditional gathering place for local tribes, and will continue to be so into the future.]

Water

28 [Current EPA standards (40 CFR Part 191) for the Waste Isolation Pilot Plant (WIPP) in Carlsbad, NM, limit doses from geologic repositories to members of the public to 15 millirem per year total effective dose equivalent (TEDE) from all pathways, and only 4 mrem/year from the groundwater pathway. However, it is already known that at some point in the future, the Yucca Mountain repository would massively violate the 4 mrem/year standard for water contamination; in fact, the worst doses to the public from the Yucca Mountain repository would be ingested via groundwater used for drinking and irrigating crops.¹

Why should Nevadans living near the proposed Yucca Mountain repository be less protected from radioactive contamination of their water supply than New Mexicans living near WIPP? This prejudice against what is considered a politically weak state is unacceptable, especially when you consider that Nevadans are already being exposed to radioactive contamination from leaking nuclear waste dumps in Beatty, and the Nevada Test Site.]

29 [Groundwater contamination would deliver the worst doses of radioactivity to nearby residents, and because of this water quality must be protected to the fullest extent of the law, which this proposition fails to do. Yucca Mountain must have the most stringent of standards, for leakage will only increase over time, yet these standards are being lowered.

The only bulk source of Chlorine-36 in our atmosphere is from above ground nuclear weapons tests done in the Pacific, salt in the seawater was activated which formed the radioactive chlorine isotope. It's presence at repository depth proves that water has traveled there within the past 50 years, and proves a "fast flow" path for groundwater travel. The science has shown that water moves too fast through Yucca Mt. for it to qualify under 10 CFR 960.4-2-1. Now there is an attempt to change these standards. This act of trying to change the rules in the middle of the games is shameful.]

30 [The DOE is conspiring to violate Nevada Revised Statute 445A.465, which expressly prohibits intentional contamination of the groundwater by radioactive substances. The DEIS didn't mention that DOE would be breaking countless state, tribal, and county laws by going forward with this proposed action.]

¹ Nuclear Information and Resource Service, Letter to the NRC Rulemaking and Adjudication Staff, June 23, 1999.

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To conclude, the DEIS does not try to solve the nuclear waste problem in this country, what it does is give the nuclear industry the political and physical space to continue to contaminate communities around the globe. This must be stopped. The development of a long term management approach to dealing with nuclear waste that will be technically sound is likely to take several decades, not only a few years. This is a problem which we will be living with for thousands and thousands of years, a rush to move all this nuclear waste to NV is not necessary. It is essential that the U.S. Government step back from this repository program and initiate a much broader effort at studying this problem.

There are no ideal options for dealing with the nation's nuclear waste, this is why the production of these wastes must be phased out, this step compliments the search for the least environmentally destructive waste management program, nuclear materials should be isolated in the places they are produced until the DOE can find a sane way to deal with them.

Sincerely,

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