

MR. DI BARTOLO: Thank you. My name is Russell DiBartolo; I represent Clark County, Nevada. Before I start my comments, in an earlier session it was stated by someone that Nevada no longer has a contentious relationship with the Department of Energy. This may or may not be correct.

Clark County, State of Nevada, and other affected units of local government in many, many cases maintain an adversarial relationship, sometimes contentious with the Department of Energy, for substantive reasons -- including the lack of attention to impacts of importance to the sustainability and well-being of our environment and communities.

I represent Clark County, Nevada, that contains within its borders a Western Paiute reservation, a Southern Paiute reservation, rural communities or semi-rural communities of Search Light, Indian Springs, Blue Diamond, developing areas such as Primm, Laughlin and Mesquite, and urban areas such as North Las Vegas, Henderson and Las Vegas.

Within our county boundaries we have 70 percent of the population of mostly minority and low income individuals. We will submit detailed comments on all aspects of the repository, including site construction and operations and effects due to transportation.

1... Today my comments are confined to -- today my comments are confined to how the DEIS relates to local government decision making, especially regarding transportation. You will see that we have been officially concerned with these issues for over 15 years. |

1... I'd like to read to you a memo which I very carefully placed -- and now I can't find. Okay. This is a memo that was sent by our county manager to the county -- | from our county Director of Planning to the County Manager.

"It is important that issues pertinent to Clark County and local entities are considered at the earliest date. In addition to insuring that impacts are minimized, it is also important to make the federal government aware of the degree of local concern about: A, the project; and B, the fact that Clark County and its citizens would be the best judge in determining what local impacts would result."

This briefing included a number of issues like emergency response, transportation routes and modes, concerns about socioeconomic situations, including employment and impacts of construction, perceptual issues and their influence on tourism and quality of life, and funding to mitigate and minimize impacts, and for the analysis of impacts.

This memo was written in 1983. Many of these -- many of these issues remain today and still have not been addressed sufficiently by the Department of Energy. Under NEPA, or the National Environmental Policy Act, the purpose of an EIS is to define impact in order to develop impact and compensation. This means that an EIS must be realistic and useful to all those affected by the proposed program. |

2... However, the DEIS reflects a continuing wide gulf between the Department of Energy and the local governments. You will notice the great majority of these comments has to do with transportation or its impacts. However, DOE takes great pains to minimize the potential effects of transportation by failing to sufficiently address related impact.

While DOE, managers, scientists, geologists, and nuclear energy representatives follow rules of applied practice, good practice, and levels of probability regarding the site, they fail to take into account the impact on communities throughout the country that would occur because of transportation. This is the most visible aspect of the program and is seen by citizens and local officials as the greatest source of risk and impact. They make decisions on this basis.

...2 | In fact, in this most important area the DEIS has not provided a coherent or comprehensive description of the prospective transportation system, that would include business plan protocols, institutional relationships, controls, public safety programs, possible modes, routes, modal splits and so on. It's open to speculation and question.

A summary of our issues is that the EIS is a key document that the federal government will be using in the licensing process for Yucca Mountain. It is of utmost importance that all potential impacts of the repository on Clark County and other communities are identified and analyzed in the EIS, since it will be used by DOE to recommend to Congress -- to recommend a plan and implement the programs.

...1 | In preparing the EIS the Department of Energy has virtually ignored Clark County and other units of local government and disregarded the mandate to cooperate with regard to using accurate local information and exchanging information, has refused to acknowledge information that has been provided, and has provided insufficient scope and detail to allow for planning and negotiation of mitigation and management plans. This is because they have narrowly defined the scope and nature of the impact, thus insuring that few impacts of significance would be identified. |

3 | 30 more seconds. For example, the DEIS ignored potential impact categories important to our economy, the stigma effects on tourism, land-use conflicts, potential property loss along routes, unfunded mandates on local government to create and maintain programs. Although there is credible evidence that shows that such impacts may occur, they have also failed to include minorities and low-income groups in the scoping, interactive, and hearing processes. |

And I will just add this one last thing. The NRC, which may adopt this EIS as their own, has also recommended very strongly in a letter that the DOE either deal with stigma effects or at least explain why they shouldn't be dealt with. Thank you.

FACILITATOR LAWSON: Thank you very much.

MR. SKIPPER: Thank you.

FACILITATOR LAWSON: I will remind you if anyone has written comments, if you would like to submit them in full, you are encouraged to do that.

The registration staff has corrected my original ordering that I gave you. The second speaker now will be Debra Montana, third speaker Ronald Hattis, fourth speaker Andrew Remus, and our fifth speaker Ervin Lent. I would now like to call on Debra Montana.